

5347. Also, petition of H. W. Hamilton and 64 other citizens of Sand Springs, Okla., requesting early action on the Spanish-American War veterans' pension legislation; to the Committee on Pensions.

5348. By Mr. FRANK M. RAMEY: Petition of post-office employees of Carlinville, Ill., dated March 1, 1930, urging passage of Senate bill 15; to the Committee on the Post Office and Post Roads.

5349. By Mr. RAMSPECK: Petition of Ralph Steckel, adjutant of the Lee-Roosevelt Camp, No. 6, United Spanish War Veterans, 1171 Campbelltown Road SW., Atlanta, Ga., and 168 other citizens of Atlanta and Fulton County, Ga., in behalf of Senate bill 476 and House bill 2562, providing for an increase in the rates of pension for Spanish War veterans; to the Committee on Pensions.

5350. By Mr. REID of Illinois: Petition of E. E. Guzman and 12 other citizens of Aurora, Ill., urging the passage of House bill 2562 and Senate bill 476, providing for increased rates of pension to men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

5351. Also, petition of William Callahan and 68 other citizens of Aurora, Ill., urging the passage of House bill 2562 and Senate bill 476, providing for increased rates of pensions to men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

5352. By Mr. SELVIG: Petition of Minnesota State Game and Fish Department, favoring passage of House bill 9599, the purpose of which is to bring under control wild animals injurious to agriculture; to the Committee on Agriculture.

5353. Also, petition of Minnesota State Federation of Labor, urging passage of House bill 7138, the rehabilitation bill, whose purpose is to assist and train those injured in industry; to the Committee on Education.

5354. By Mr. SWING: Petition of H. Nathan and 35 residents of Riverside County, Calif., urging the adoption of Senate bill 476 and House bill 2562; to the Committee on Pensions.

5355. By Mr. STRONG of Kansas: Petition of Noah Wigley and 78 other citizens of Salina, Kans., in support of Senate bill 476 and House bill 2562, providing increased pensions to Spanish War veterans; to the Committee on Pensions.

5356. By Mr. TEMPLE: Petition of Tylerdale Women's Christian Temperance Union, Washington, Pa., urging the enactment of a law for the Federal supervision of motion pictures, establishing higher standards for films that are to be licensed for interstate and international commerce; to the Committee on Interstate and Foreign Commerce.

5357. By Mr. WAINWRIGHT: Petition of 68 voters urging passage of legislation to increase pensions of veterans of the Civil War and the widows of such veterans; to the Committee on Invalid Pensions.

5358. By Mr. WILSON: Petition of numerous citizens of Bastrop and Morehouse Parish, La., urging speedy consideration and passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

SENATE

THURSDAY, March 6, 1930

(Legislative day of Monday, January 6, 1930)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Frazier	La Follette	Simmons
Ashurst	George	McCulloch	Smith
Baird	Glass	McKellar	Smoot
Barkley	Glenn	McMaster	Steak
Bingham	Goldsborough	McNary	Stelwer
Black	Gould	Metcalf	Stephens
Blaine	Greene	Moses	Sullivan
Blease	Grundy	Norbeck	Swanson
Borah	Hale	Norris	Thomas, Idaho
Brook	Harris	Nye	Thomas, Okla.
Brookhart	Harrison	Oddie	Trammell
Broussard	Hastings	Overman	Tydings
Capper	Hatfield	Patterson	Vandenberg
Caraway	Hawes	Phipps	Wagner
Connally	Hayden	Pine	Walcott
Copeland	Hebert	Pittman	Walsh, Mass.
Couzens	Hedin	Ransdell	Walsh, Mont.
Cutting	Howell	Robinson, Ind.	Waterman
Dale	Johnson	Robison, Ky.	Watson
Dill	Jones	Schall	Wheeler
Fess	Kean	Sheppard	
Fletcher	Keyes	Shortridge	

Mr. SHEPPARD. The junior Senator from Utah [Mr. KING] is necessarily detained from the Senate by illness. I will let this announcement stand for the day.

I also desire to announce the necessary absence of the Senator from Arkansas [Mr. ROBINSON] and the Senator from Pennsylvania [Mr. REED] who are delegates from the United States to the London Naval Conference.

Mr. SCHALL. My colleague [Mr. SHIPSTEAD] is unavoidably absent. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Eighty-six Senators have answered to their names. A quorum is present.

GRAIN-FUTURES EXCHANGES

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, in further response to Senate Resolution 40, Seventieth Congress, first session, part 2 of a report entitled "Reports by Members of Grain-Futures Exchanges," concluding the department's report in response to the resolution adopted February 21, 1928, which, with the accompanying documents, was referred to the Committee on Agriculture and Forestry.

USELESS PAPERS IN THE GOVERNMENT PRINTING OFFICE

The VICE PRESIDENT laid before the Senate a communication from the Public Printer, transmitting, pursuant to law, a list of papers and documents in the files of the Government Printing Office which are not needed or useful in the transaction of the current business of the office and have no permanent value or historical interest, and requesting action looking toward their disposition as waste paper, which was referred to a Joint Select Committee on the Disposition of Useless Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. Moses and Mr. FLETCHER members of the committee on the part of the Senate.

PETITIONS

Mr. BARKLEY presented a petition of sundry citizens of McCreary County, Ky., praying for the passage of legislation granting increased pensions to Civil War veterans and the widows of veterans, which was ordered to lie on the table.

Mr. RANDELL presented the petition of L. R. Garcia and sundry other citizens of New Orleans, La., praying for the passage of legislation granting increased pensions to Spanish War veterans, which was ordered to lie on the table.

Mr. BROOKHART presented a petition of sundry citizens of Des Moines, Iowa, praying for the passage of legislation granting increased pensions to Spanish War veterans, which was ordered to lie on the table.

Mr. PATTERSON presented petitions of 337 citizens of the State of Missouri, praying for the prompt passage of legislation granting increased pensions to Spanish War veterans, which were ordered to lie on the table.

REPORTS OF COMMITTEES

Mr. BORAH, from the Committee on Foreign Relations, to which was referred the joint resolution (H. J. Res. 195) authorizing and requesting the President to invite representatives of the governments of the countries members of the Pan American Union to attend an Inter-American Conference on Agriculture, Forestry, and Animal Industry, and providing for the expenses of such meeting, reported it without amendment.

Mr. CAPPER, from the Committee on the District of Columbia, to which was referred the bill (S. 686) to amend an act regulating the height of buildings in the District of Columbia, approved June 1, 1910, reported it without amendment and submitted a report (No. 249) thereon.

COTTON CONDITIONS (REPT. NO. 248)

Mr. McNARY (for Mr. TOWNSEND), from the Committee on Agriculture and Forestry, pursuant to Senate Resolution 152 to investigate cotton marketing conditions and to make recommendations of measures for the elimination of any influences tending artificially to depress the price of cotton, submitted a report thereon, together with a supplementary report by Mr. HEFLIN.

REPORT OF POSTAL NOMINATION

Mr. PHIPPS, as in open executive session, from the Committee on Post Offices and Post Roads, reported the nomination of Portia C. McAllister to be postmaster at Pitts, Ga., in place of P. C. McAllister, which was placed on the Executive Calendar.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McNARY:

A bill (S. 3823) granting a pension to Jesse D. Walker (with accompanying papers); to the Committee on Pensions.

By Mr. FLETCHER:

A bill (S. 3824) for the relief of Kavanaugh Investment Co., a corporation; and

A bill (S. 3825) for the relief of Kavanaugh Investment Co., a corporation; to the Committee on Claims.

By Mr. WHEELER:

A bill (S. 3826) for the rehabilitation of the Bitter Root irrigation project, Ravalli County, Mont.; to the Committee on Irrigation and Reclamation.

By Mr. SMOOT:

A bill (S. 3827) to authorize the settlement of the indebtedness of the German Reich to the United States on account of the awards of the Mixed Claims Commission, United States and Germany, and the costs of the United States Army of Occupation; to the Committee on Finance.

By Mr. PHIPPS:

A joint resolution (S. J. Res. 151) to authorize the Secretary of the Interior to deliver water during the irrigation season of 1930 on the Uncompahgre project, Colorado; to the Committee on Irrigation and Reclamation.

AMENDMENTS TO THE TARIFF BILL

Mr. METCALF submitted amendments intended to be proposed by him to House bill 2667, the tariff revision bill, which were ordered to lie on the table and to be printed, as follows:

Section 340, on page 337, line 7, after the word "differences," change the period to a comma and insert the word "or" and a comma and the following paragraphs:

"(C) If neither subparagraphs (a) nor (b) apply, then the cost of production of imported merchandise, which shall be the sum of—

"(1) The cost of materials of and of fabrication, manipulation, or other process employed in manufacturing or producing such merchandise in the United States at a time preceding the date of exportation of the particular merchandise under consideration which would ordinarily permit the manufacture or production of the particular merchandise under consideration in the usual course of business;

"(2) The usual general expenses (not less than 10 per cent of such cost) in the case of such merchandise produced in the United States;

"(3) The cost of all containers and coverings of whatever nature, and all other costs, charges, and expenses incident to placing such merchandise in condition, packed ready for shipment in the United States; and

"(4) An addition for profit (not less than 8 per cent of the sum of the amounts found under paragraphs (1) and (2) of this subdivision) equal to the profit which ordinarily is added in the case of merchandise of the same general character as the particular merchandise under consideration by manufacturers or producers in the United States who are engaged in the production or manufacture of merchandise of the same class or kind."

On page 384, beginning with line 11, strike out the entire section and insert the following:

"The consignee or his agent may at the time entry is made, or at any time before the invoice or the merchandise has come under the observation of the appraiser, assistant appraiser, examiner, or examiner's clerk, or person acting as such appraiser, assistant appraiser, examiner, or examiner's clerk, for the purpose of examination or appraisal of the merchandise, make in the entry such additions to or deductions from the cost or value given in the invoice as, in his opinion, may raise or lower the same to the value of such merchandise."

Section 510, on page 407, after line 9, insert the following section:

"Sec. 510. Inspection of exporter's books: If any person, manufacturing, producing, selling, shipping, or consigning merchandise exported to the United States, fails, at the request of the Secretary of the Treasury, or an appraiser, or person acting as appraiser, or a collector, or the United States Customs Court, or a judge of such court, as the case may be, to permit a duly accredited officer of the United States to inspect his books, papers, records, accounts, documents, or correspondence, pertaining to the market value or classification of such merchandise, then while such failure continues the Secretary of the Treasury, under regulations prescribed by him, (1) shall prohibit the importation into the United States of merchandise manufactured, produced, sold, shipped, or consigned by such person; and (2) may instruct the collectors to withhold delivery of merchandise manufactured, produced, sold, shipped, or consigned by such person. If such failure continues for a period of one year from the date of such instructions, the collector shall cause the merchandise, unless previously exported, to be sold at public auction as in the case of forfeited merchandise."

Section 516 (b), on page 413, line 4, strike out entire subsection (b), down through page 415, line 18, and insert in lieu thereof the following:

"If an American manufacturer, producer, or wholesaler, or an American labor organization is dissatisfied with the classification of and/or rate of duty, if any, imposed upon designated imported merchandise of a class or kind manufactured, produced, or sold at wholesale by him, he may file a complaint with the Secretary of the Treasury setting forth his reasons for his objection. Within 60 days of the filing of such complaint, the Secretary of the Treasury shall render and publish his de-

cision. If the decision of the Secretary is adverse, in whole or in part, to the American manufacturer, producer, wholesaler, or American labor organization, such manufacturer, producer, wholesaler, or American labor organization may file, within 60 days after receipt of notice of liquidation from the Secretary or a collector of customs, with the collector of the port where the imported merchandise was entered, a protest in writing setting forth a description of the merchandise and the classification and the rate of duty he believes proper with the same effect as the protest of an importer, consignee, or agent filed under the provisions of sections 514 and 515 of this act.

"If an American manufacturer, producer, wholesaler, or American labor organization is not in possession of information as to the classification of and/or rate of duty, if any, imposed upon designated imported merchandise, or of sufficient information as to the entry and liquidation of imported merchandise to enable him to file a protest, upon written request, the Secretary of the Treasury or a collector of customs shall furnish all the necessary information to permit an American manufacturer, producer, wholesaler, or American labor organization to perfect the remedy granted by this section."

FOOD AND CLOTHING ALLOWANCES FOR INDIAN CHILDREN

Mr. McMASTER. Mr. President, on December 4 last President Hoover sent to Congress a special message asking for an emergency appropriation for additional food, clothing, and other necessities for Indian children. According to his recommendation, it was understood that the minimum amount to be allowed per Indian child per day for food was 37.8 cents and the minimum amount for clothing per year per Indian child was to be \$42.26. When the bill came over from the House, apparently recommended by the Commissioner of Indian Affairs, according to the statement I have here, it developed that, instead of increasing the food allowance of the Indian children to a minimum of 37.8 cents a day, it actually increased it only from 20 cents to 24.1 cents, while it increased the clothing allowance from \$22.26 to \$27.46, whereas the amount for clothing should have been \$42.26. A statement has been prepared by the American Indian Defense Association (Inc.), and I am asking that the full statement may be printed in the Record.

The VICE PRESIDENT. Without objection, it is so ordered. The statement referred to is as follows:

HOW HOOVER'S HUMANITARIAN PROGRAM FOR INDIAN CHILDREN IS BEING ABANDONED BY HIS INDIAN COMMISSIONERS—IN A NUTSHELL

The underfeeding and consequent slow starvation of children in the Indian boarding schools was established beyond question by the report of the Institute for Government Research issued in 1928.

Following President Hoover's inauguration, a special committee of experts appointed by the Interior Department reported the necessity for a minimum food allowance of 37.8 cents a day as against the 20 cents a day then provided for these children.

On December 4 last President Hoover sent to Congress a special message supporting a request for an emergency appropriation for food, clothing, and other necessities of the Indian school children, so allocated as to bring the food allowance immediately up to the minimum of 37.8 cents per day per child and the clothing to a minimum of \$42.26 per child per year.

These allocations were definitely for the balance of the school year of 1930; that is, from January 1 to July 1. They were accompanied by a statement that an additional request would have to be made later for money to maintain the same standards through 1931.

Hearings on the President's request were not held before the House Appropriations Committee until January 30. On that date Indian Commissioners Rhoads and Scattergood, the President's appointees, appeared before the committee and withdrew the original allocations on the ground that the elapsed time called for their revision.

If on December 4 allocations could be made to become effective January 1 it is reasonable to assume that new ones could have been made January 30, effective March 15.

What happened is told in a nutshell by a statement following.

The result, if allowed to stand, will be that instead of raising the Indian school child's feeding allowance from 20 cents a day to the minimum of 37.8 cents requested by the President during the balance of this school year, it will be raised from 20 cents to only 24.1 cents a day. And the clothing allowance, instead of being raised from \$22.26 per child per year to the minimum of \$42.26 per child per year will be raised only to \$27.46 per child per year.

HOOVER'S EMERGENCY RELIEF REQUEST FOR INDIAN CHILDREN AND WHAT HAPPENED TO IT

On December 4 President Hoover sent to Congress a special message supporting an emergency request for funds for the relief of Indian school children for the balance of the fiscal year. On January 30, before the House Appropriations Committee, Commissioner Rhoads, of the Indian Bureau, withdrew the Hoover estimates and allocations and submitted a revised budget request which, if accepted by the Senate, will divert the appropriations as shown below:

Food

What Hoover asked for from January 1 to July 1, \$555,156.
 What Rhoads should have asked for from March 15 to July 1, in conformity with the Hoover request, \$301,609.
 What Rhoads did ask for and got, \$95,000.

Clothing

What Hoover asked for from January 1 to July 1, \$252,000.
 What Rhoads should have asked for from March 15 to July 1, in conformity with the Hoover request, \$138,291.
 What Rhoads did ask for and got, \$30,000.

Salaries

What Hoover asked for from January 1 to July 1, \$189,000.
 What Rhoads should have asked for from March 15 to July 1, in conformity with the Hoover request, \$103,706.
 What Rhoads did ask for and got, \$300,000.

Equipment

What Hoover asked for from January 1 to July 1, \$137,844.
 What Rhoads should have asked for from March 15 to July 1, in conformity with the Hoover request, \$75,646.
 What Rhoads did ask for and got, \$585,000.

WHAT CAN BE DONE

The Senate can amend the deficiency bill to restore the allocations for food and clothing to those which Rhoads should have asked for.

THE AMERICAN INDIAN DEFENSE ASSOCIATION (INC.).

HOW DO THE INDIAN COMMISSIONERS DEFEND THEIR ACTION?

Their first defense is a statement that it is too late to supply emergency relief for 1930.

Commissioner Scattergood told the Senate committee February 27 that even if the Hoover request were now granted it could not be applied save in small part before 1931.

Yet when the President's requests were made in December, Commissioners Rhoads and Scattergood presented and defended them. The President's requests were based on the stated, detailed anticipation and promise that the food and clothing standard could and would be applied immediately upon the grant of the appropriation, and that the improved food and clothing standard would be established instantly.

Now Mr. Scattergood says that the warehouses were full in January, but they are less full to-day. The warehouses to-day are stocked for the 100 remaining school days of 1930. The explanation is fictitious.

But the commissioners hold out hope of a partial remedy for the food situation in the fiscal year 1931. For the clothing, even in 1931, they hold out no hope.

For those citizens who are not suffering from slow starvation and from a lack of a "minimum standard of decency" (Commissioner Rhoads's words) in clothing, and who are willing to defer their interest in the children's plight to the fiscal year 1931, we make the following statement:

Commissioner Scattergood claims (for 1931) that 34 cents per day can be found for the children's food (nothing for clothing), leaving a food deficit of about \$210,000 a year; a clothing deficit of \$420,000. The food ration, he claims, will be raised to 34 cents in 1931 through various transfers of funds and through certain increases in the regular appropriation bill for 1931.

(a) He states that \$7 of money not required for salary equalization under the Welch Act will be used for food. On January 30 last Commissioner Rhoads told the House Appropriations Committee that not more than \$5 from this source could be used for food. Last autumn, at the extremely underfed Truxton Canyon School, it was found on inquiry that none of this fund was being used for food. The fund has been available since July 1, 1929. No evidence has yet been presented, either in the public hearings or to us when we have sought information at the Indian Bureau, that all or any part of this \$7 has been or can be applied to food.

(b) He states that all of the \$15 per capita increase for the schools (aside from an equipment grant of \$10) contained in the regular appropriation bill for 1931 will be applied to food purchase. No evidence has yet been presented that this whole sum of \$15 can be so applied.

(c) He states that more than \$200,000 contained in the regular 1931 appropriation, not requested or designated for food, will be transferred to food purchase. No evidence has been presented that this transfer actually can be carried out.

The above hopes (a), (b), and (c) may be realized, but there is as yet no evidence to show that they are any more than pious hopes. President Hoover asked for cash funds here and now; not for pious hopes for 1931.

(d) Mr. Scattergood states that the 572 new cows to be bought in 1931 will produce (at the average yield of Indian Bureau cows) milk with a wholesale value of \$118,404 per year. He adds this sum to the per diem food ration of the children. He assumes a wholesale value of milk at 8 cents a quart. Our information from official sources is that milk has a wholesale value of 5 cents a quart. He computes on a 300-day per year milk yield from each cow. The milk is for the school

children to drink, and there are only 270 school days. Simple arithmetic results in a figure of \$65,337 as the value of the new milk, not \$118,404.

In sum: The commissioners defend their action by stretching to the breaking point an optimism not supported by facts which they adduce and supported by some definitely inaccurate or remarkably improbable statements of fact.

They profoundly committed themselves to the Hoover standards and Budget requests; they demanded the instant establishment of what Hoover demanded. In the face of their abandonment of their own record we are not able to share their optimism or their unevincenced assurances, or to have confidence in their undertakings with respect to the fiscal year 1931.

As for their defense for abandoning the President's emergency request for 1930, either that defense is grossly incorrect, or else their original position in December was grossly incorrect. The two positions are in direct contradiction. The earlier one was the accurate one.

THE AMERICAN INDIAN DEFENSE ASSOCIATION (INC.).

MARCH 4, 1930.

THE OIL INDUSTRY

Mr. BROUSSARD. Mr. President, I ask unanimous consent to have printed in the Record an article on the oil industry in the United States written by Maj. W. Scott Heywood, who has been an oil operator in Louisiana for many years, and who has the distinction of discovering the first oil well in that State.

There being no objection, the article was ordered to be printed in the Record, as follows:

There are five major branches of the oil industry in the United States:

First, the landowner or royalty owner.

Second, the producer.

Third, the pipe-line purchasing company.

Fourth, the refining company.

Fifth, the distributor.

We have independent oil companies and major oil companies and individual producers.

We who are here to ask for a tariff on crude-oil imports as well as the by-products therefrom are from branches 1 and 2, to wit, the land royalty owner and the independent producer.

The question has been asked, What is a major company?

A major oil company is a company that either produces oil or uses a subsidiary for that purpose and purchases crude oil produced by independent companies or individuals and royalty owners and refines its own produced crude oil, together with that which it purchases, and makes its profit from the sale of its refined products.

The major company makes a profit from tank-car refinery sales, tank-wagon deliveries, and retail service station sales; that is to say, the major company makes its first profit on its refined gasoline and lubricating oils from wholesale tank-car deliveries. Then, it makes another profit on its sales by tank-wagon deliveries to its own retail service stations and from its tank-wagon deliveries to other retail service stations, and added to these profits it makes a profit on its retail filling-service stations as well, and this is only part of the picture. It makes a profit from by-products other than gasoline and lubricating oil, to wit, coal oil, distillate, furnace oil, lubricating oils for the human machinery, automobile polish, lighter fluid, wax, greases, fuel oil, asphalt, and too many numerous other by-products that the average person has never learned of to mention here.

The independent oil-producing company, the individual, and the land royalty owner sell their crude oil to the pipe-line purchasing company and owns no refinery; therefore it only has one profit, if any at all.

Practically all of the pipe-line purchasing companies in the United States are subsidiaries of a major oil-refining company and post a price for crude oil as dictated by its parent company.

It is true we have some independent refineries in the United States, but as a rule they do not own their own pipe lines and do not own tank-wagon stations throughout the States, nor do they own retail service stations, and the great bulk of their refinery sales are from gasoline and fuel oil or residue oil.

In other words, their market and profit is from wholesale tank-car sales, and most of their gasoline is purchased by the larger major refinery companies.

From the best information we can get and which is generally accepted, the major companies tank wagon and retail sales amount to about 80 per cent of its gasoline, and the price put on its wholesale refinery tank-car deliveries is so small that the independent refinery with its one wholesale profit does not grow to be a major company with but few exceptions.

The question might be asked, Why do not independent producers always sell to independent refineries?

The answer is that the independent refiner only uses a certain amount of crude per day, and never runs its small pipe line and gathering system to but few leases in any field, and then only to those that it may be able to make contracts for a stipulated amount and covering a long time period, and knowing the danger of the independent refinery

being put out of business by the major company at any time the major company desires, the producer is timid in pledging his oil to the independent refinery.

It can readily be seen from the above facts that it does not matter what price the major oil company places on its own crude-oil production since its profits are made from the refined products through tank car, tank wagon, and retail service station sales.

It also is patent that the lower the price paid for crude purchased by the major company the greater the profit it makes, and as it refines practically all of its own crude-oil production it has not suffered by a low price on crude, but, on the contrary, has gained.

Furthermore, we have never seen the books of the parent major company, nor have we seen the books of the producing subsidiary company, so we do not know whether the producing subsidiary company sells its oil at the same posted price that the independent producer and royalty owner sells his for.

If the producing subsidiary company did sell or does sell at the same price as the independent and loses money by so doing, as the independents are to-day, the parent company can afford to keep the producing subsidiary in business by financing it, for through such methods these major purchasing companies during the year 1928 and 1929 brought from independent domestic producers and land royalty owners around 1,200,000,000 barrels of crude oil for approximately one-half of what it was worth and then sold the refined by-products, such as gasoline and lubricating oil, to domestic consumers for practically the same price the consumer paid in 1926, at which time these same major purchasing companies were paying twice as much for our crude oil, and further, they exported in 1928, 154,449,000 barrels and in 1929 they exported 162,275,000 barrels at high prices, ranging from 25 cents to 60 cents per gallon for gasoline; so it pays them to keep the price of crude oil low, for the profits they make, as stated above, on purchased oil and their own production is from the refined product.

Some of our independent leaders have covered this tariff question on crude oil and its by-products pretty thoroughly. They have pointed out the fact that we independents buy our supplies under a protected market, and they have covered the statistics from the Bureau of Mines on imports, exports, domestic production, overproduction, supply and demand, conservation, cooperation in curtailing production, but there has been a tendency on their part, it seems to me, to show a timidity in calling a spade a spade, and they have not stressed certain conditions that I feel are very pertinent to this subject, which the public should know.

They have not stressed the fact that the price quoted in our oil journals and press dispatches placed upon this Venezuela crude was 75 cents per barrel laid down on eastern seaboard, and that one of the reasons for the confiscating price paid our independent producer for his crude oil was and is that our crude must come in competition with this 75-cent imported crude.

They have not stressed the fact that this 75-cent quotation did not mean that this imported Venezuela crude would not be delivered at 75 cents per barrel f. o. b. eastern seaboard to the open market, and that you or I could not buy any of it for that price, and that this 75 cents per barrel price only covered cost of producing plus water transportation and does not allow one cent profit.

They have not told you that the companies importing this oil produced it through their subsidiaries and shipped practically all of it to the parent company or a subsidiary major company. In other words, they have not told you that this so-called 75-cent price on Venezuela oil is a fake price, arbitrarily made for the purpose of bearing the price of domestic crude which they, the majors, want to purchase at practically confiscating prices.

They have not stressed the point that most of this so-called 75-cent imported Venezuela crude is a low-grade crude, and that such methods used as above are robbing the producer and landowner and some of our oil States as royalty owners of their high-grade oil through a fake price on low-grade imported oil, and that our oil States are losing millions of dollars through their royalty being sold so cheap, and through uncollected severance tax.

Our delegation has not stressed the point that these major companies bring these imports into our State, and pay no tax on it because it is in transit, and through such imports cause a surplus which these major companies are calling "United States overproduction," and also through this imported surplus are causing production to be curtailed in the respective oil-producing States, under the pretext of conservation.

This cuts down the income of our States that rely greatly on severance or gross production tax, for State funds; and also cuts the State's income from its royalty oil sales, and every barrel of oil that is produced from any of our States that is sold for less than its intrinsic value, is robbing its natural resource, and one time crop, and is a waste of that natural resource, and all of this without the consumer receiving any benefit whatsoever.

There is no question about who sets the price of crude oil as well as the price of gasoline and other by-products.

We all know that when the Humble Oil & Refining Co. or the Carter Oil Co. or the Magnolia Petroleum Co., or any of the large major pur-

chasing companies set a new posted price on crude oil, that it has been done by remote control from 26 Broadway, or the Mellon group, or the Royal Dutch Shell, a foreign corporation.

We all know that the same thing applies to gasoline.

We all know that if an independent service station is willing to retail his gasoline at 1 cent or 2 cents less than the major retail service station is selling its gasoline, that the major company furnishing the independent retail service station his gasoline will notify him to put the price back up or refuse to deliver him gasoline, and we all know that when a gasoline price war is on that it is done for the purpose of running some certain independent retail station out of business.

The reason given out by Mr. Farish, president of the Humble Oil & Refining Co., for the last cut in the price of crude oil on January 15, 1930, ranging from 25 cents to 41 cents per barrel, was as follows:

"In order to fairly adjust crude-oil prices with prices of petroleum products."

He further states:

"In spite of commendable efforts over the past year on the part of many producers to limit their crude-oil output to the market or refining demand, and in spite of the fact that these efforts have been conspicuously successful, an overproduction of crude oil exists to-day."

He goes on:

"The price of gasoline is the dominating factor in determining crude prices."

If the price of gasoline is the dominating factor in determining crude prices, why does gasoline sell to-day practically at the same price it did in 1926, when these major companies were paying approximately twice as much for crude? And when you take into consideration that these major companies are getting a much greater recovery of gasoline out of a barrel of oil than they did three years ago, this question is all the more pertinent.

When they cut the price of crude oil they say it is "to adjust the price of crude with crude-oil products" and that the "price of gasoline is the dominating factor in determining the price of crude."

Now, let us see if they are consistent.

Down in Louisiana in 1928 the legislature passed an act, at my instigation, making it unlawful to purchase crude oil of a certain gravity at a lesser rate in dollars per barrel than a 10 to 1 ratio as between the price of gasoline in cents per gallon.

The Standard Oil Co. filed a suit to set aside this act, and in their petition before the Federal court they claimed that "the price of gasoline had no bearing on the price of crude because of 'seasonable demand.'"

So we have one branch of the Standard claiming one thing as an alibi for its cold-blooded act, and another branch of the same parent company claiming the contrary to get rid of a law that was intended to make them play fair with the producers and consumers alike.

Our governor, Huey P. Long, the greatest governor that the State of Louisiana has ever had, in 1929 discovered that these large major companies were importing around 20,674 barrels per day, or approximately 7,500,000 barrels per year, and bringing it into the State of Louisiana, claiming that it was in transit, and therefore were paying no severance tax, nor any other tax whatsoever to the State of Louisiana, and no tariff to the United States Government, and through these imports that the production of the State of Louisiana was being held down, so he introduced a bill in the legislature to put an occupational tax on these refineries to pay, as does the lawyer, the merchant, the baker, and the candlestick maker; and the introducing of this bill into the legislature by the governor was primarily the cause of the attempted impeachment, and the major oil companies threatened to leave the State if this occupational tax was imposed on them.

This means that these refineries are getting by without paying any severance tax or any other tax on approximately 7,500,000 barrels per year that they are importing, and it also means that the State of Louisiana could produce that much more oil, thereby receiving a severance tax to the State and helping the producers and the royalty owners of the State, including the State itself as a royalty owner.

But under the present price of crude oil they can not afford to compete with this fake price which has been put upon this imported crude, therefore the independent producers, the land royalty owners, and the State of Louisiana itself, is the loser, and the major companies are the ones that are the gainers, while the consumer of the State of Louisiana is paying approximately the same price that he did in the year of 1926, when conditions were different, as stated above.

All you need to do is to take the financial statements showing the enormous profits made by these major companies and then compare them with the independent producers' statements and the story is complete.

We feel certain if our honorable Senators believe the statements presented by the delegation sent here to present our case that you can not refuse to protect us with a tariff as asked.

In conclusion, I want to say that we are not only fighting for fair play, but for our very existence.

W. SCOTT HEYWOOD.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had passed a bill (H. R. 9046) to amend the fourth paragraph of section 13 of the Federal reserve act, as amended, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 846. An act to authorize the Secretary of Commerce to convey to the State of Michigan for park purposes the Cheboygan Lighthouse Reservation, Mich.;

S. 1487. An act authorizing the Secretary of the Treasury to permit the erection of a building for use as a residence for the Protestant chaplain at the National Leper Home at Carville, La., and for other purposes;

S. 2668. An act granting the consent of Congress to the Missouri-Kansas-Texas Railroad Co. to construct, maintain, and operate a railroad bridge across the Missouri River at Boonville, Mo., in substitution for and in lieu of an existing bridge constructed under the authority of an act entitled "An act to authorize the construction of a bridge across the Missouri River at Boonville, Mo.," approved May 11, 1872;

S. 3080. An act to amend an act entitled "An act to provide for the further development of agricultural extension work between the agricultural colleges in the several States receiving the benefits of the act entitled 'An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts,' approved July 2, 1862, and all acts supplementary thereto, and the United States Department of Agriculture," approved May 22, 1928; and

S. 3193. An act to authorize the State Roads Commission of Maryland to construct a highway bridge across the Nanticoke River at Vienna, in Dorchester County, Md.

EFFECT OF ALCOHOLIC LIQUORS ON TRAFFIC ACCIDENTS

Mr. DILL. Mr. President, I ask permission to have published in the RECORD a statement from the National Woman's Christian Temperance Union entitled "Effect of Alcoholic Liquors on Traffic Accidents."

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Facts indicate that drunken drivers in this country have killed 15,000 and maimed or otherwise injured 300,000 to 500,000 people—many of them children.

These facts must be considered in any discussion of prohibition repeal. At present the drinking driver is a menace; the doctrine of "personal liberty" makes him a selfish killer. Repeal prohibition and he will be a scourge. Canada repealed prohibition. In seven years whisky sales trebled and with only a slight increase in cars convictions for drunken driving increased 2,600 per cent.

Mounting alcoholic accidents in other countries where drinking is unrestricted warn the United States of America that every vote to liberalize the liquor laws here adds to the chance of killing or maiming some one—particularly a child.

We have 80 per cent of the world's cars; our accidents grow with each year. Traffic experts are trying to save lives needlessly killed by auto drivers. One sure method of reduction of accidents will be the complete prohibition of intoxicants. Repeal prohibition and our roads will become long lanes of slaughter.

In seven years convicted drunken drivers killed 376 and maimed or hurt 14,000 others in Massachusetts. One-third of those hurt were children.

In Connecticut drunken driving caused 391 accidents in a year. In New York the police credit 840 crashes, 47 deaths to drunken driving in a year. Detroit credits 330 crashes, 15 deaths to drunken driving in a year.

These are figures taken from the great scattered mass of statistics, and all collaborators admit that the official figures are a minimum. It is possible only to conjecture the number of accidents and deaths caused by drink and not officially so reported.

Death rate from auto crashes in 78 cities—33,000,000 population—increased 11 per cent from 1928 to 1929, says the Census Bureau. All the crashes investigated in Pennsylvania by the State highway police were due to mental lapses says Captain White, superintendent of the patrol. Could there be any clearer warning against mixing alcohol and gas?

Official Government figures show 150,716 persons killed in road accidents in seven years. Applying State and city experiences to this figure we arrive at the conclusion that at least 15,000 have been killed by drunken drivers.

Dr. W. V. Bingham, chairman of Secretary Hoover's committee on causes of automobile accidents, said:

"It is highly probable that liquor is a factor in a much greater proportion of cases than is officially recognized. Intoxication at times is

difficult to prove in court. Moreover, there is a reluctance to ascribe an accident to intoxication even when it is known by witnesses to have been a factor. Here, and in cases where the amount of alcohol consumed has not been sufficient to cause obvious intoxication, the accident is sometimes recorded as due to confusion, carelessness, recklessness, or inattention.

"There is need of more definite and widespread public knowledge of the effect upon the driver or pedestrian of alcohol used in quantities far short of those which result in obvious intoxication, but which tend nevertheless to decrease motor control and may appreciably lessen the sense of responsibility. One drink may be enough to make a man take a chance. Investigation should be made to discover how far alcohol is a contributing cause, even when it is not the principal cause of accident."

Ontario, recognizing the mounting death toll from alcoholized drivers, gives every motorist, with his license, a printed warning that many motor accidents are the result of liquor. This warning tells the motorist that it takes one-fifth of a second for a normal brain to send out the message which will enable the owner of that brain to put on brakes in an emergency.

The same process takes from two-fifths of a second to three-fifths of a second when a man has taken the average drink. A car going 35 miles an hour will travel 20 feet in two-fifths of a second; and the government of Ontario warns drivers against liquor specifically on that point.

There can be no blame attached to prohibition for the results of drunken driving, especially when one refers to the enormous increase of drunken driving in Canada. In the case of drunken driving we deal with the acquisition in the past 10 years of millions of machines potentially as dangerous as locomotives (whose drivers are forbidden to drink) and the licensing of millions of amateur drivers; and the propagating of the dangerous idea that "personal liberty" is a higher law than all else.

THE WHITE HOUSE FIRE

Mr. COPELAND. Mr. President, I ask unanimous consent to have printed in the RECORD a short article on the White House fire and the conclusions as to the protection of public buildings against fire, written by an expert.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE FIRE

By William H. Rodda (member National Fire Prevention Association, Underwriters Association of the District of Columbia)

On Christmas Eve, December 24, 1929, a fire was discovered in the Executive Office section of the President's residence, the White House, in Washington, D. C. Over two hours' active fighting by a large proportion of the District of Columbia Fire Department was necessary to subdue the flames, and the final out stroke was not sent in until the following morning, nearly 12 hours later. The fire is of peculiar interest because of the location and the fact that priceless records were endangered. Fortunately the records and documents destroyed are easily replaceable and not of high value.

CONSTRUCTION

The fire occurred in the extreme west end of the building in a section used as offices for the President and his clerical force. This section was built for temporary use in 1902 during President Roosevelt's administration and has been in use ever since. When he took over the presidency, Mr. Hoover had the section remodeled for more convenient use. The walls are of brick, mainly 13 inches thick, and the floors are wood joist. A basement and first floor are of full story height, and above the first floor is an attic about 7 feet high. Access to this attic is by a narrow wood stairway. Two stairways from the basement to first floor are also of wood and without protection. The roof is of metal on wood sheathing supported by wood joists, which are, in turn, carried by wood trusses of 6-inch by 6-inch timbers resting on brick walls. The attic floor is of wood on wood joists. Light and ventilation for the attic are provided by small windows, about 12 inches by 30 inches, all of which are covered by heavy iron bars and gratings. Skylights in the roof furnished light to the first floor and are inclosed in metal lath and plaster through the attic. Although heat for the building is furnished from the State, War, and Navy Building, across the street from the White House, there are fireplaces occasionally used. The fireplace chimneys are of brick with 4-inch walls. The interior finish of the section is metal lath and plaster, except the attic ceiling, which was open joist. This wing is connected to the White House proper by a passageway on the basement level, with one side open. The construction and location are such that the main building of the White House was in little danger of being involved.

OCCUPANCY

The basement was used as offices by the clerks employed in connection with the Executive Offices. Some files located on this floor were in steel cabinets, but were not subjected to fire.

The first floor was occupied by the reception hall for the President's visitors, the President's private office, and the offices of the President's

private secretaries. Such records and documents as were in these rooms were in desks and ordinary filing cabinets. Most of these were removed, but those remaining were not subjected to fire.

The attic was used as a file room. Wooden shelving in this room contained many thousands of pamphlets and records accumulated over a period of years. These were mainly printed Government documents, of which copies are available in other Government departments. It was these pamphlets on wood shelves that made the fire very stubborn and hard to fight.

STORY OF THE FIRE

The fire was discovered by a White House guard who observed smoke in the Executive Offices. Other guards were immediately notified, and the White House private fire-alarm box pulled by a guard at 8.09 p. m. The guards located the main body of fire in the attic and attempted to fight it with hand chemical extinguishers, but soon found it was beyond their control. The first alarm brought four engine companies, each with pumper and hose car, two truck companies, and one rescue squad, a deputy chief, a battalion chief, and the chief engineer of the department. The chief engineer sent a second alarm at 8.16, bringing 4 more engine companies and 1 truck; a third alarm at 8.17, bringing 4 engine companies, a water tower, and a truck; and a fourth alarm at 8.28, bringing 4 engines and 1 truck. An hour later, at 9.24, a special call for 3 engine companies was sent.

The fire was attacked through the small windows in the attic, and considerable difficulty was experienced in breaking through the gratings. The windows were too small to make a satisfactory attack on the fire from them, and the best that could be done was to drive the fire back from the windows. Holes were cut in the roof and the fire fought from above. Heavy clouds of smoke and closely packed files inside made the fire very hard to find. Gradually the flames were stopped by means of streams through the holes in the roof, and the attic sufficiently cleared of smoke for the firemen to enter and overhaul. There was little fire visible at any time. Occasionally flames burst forth from the attic windows and they burned through the cornice in several places. About a dozen hose lines were in use, with as many more held in reserve. By 10.30 p. m. sufficient progress had been made to send some apparatus back. Shortly after all apparatus, except that of companies overhauling, was sent back to quarters. At 7.27 a. m. the following day the out stroke was sent in.

CAUSE IN DETAIL

Investigation following the fire showed that there had been fire in partitions on the first floor, although there was no fire damage outside the partitions. The location of charred studs and evident path of the fire placed the origin at a wood stud against a fireplace. The construction of the fireplaces as revealed after the fire is decidedly faulty. The fireplaces themselves are built of one layer of brick, and in places those bricks have been shaved off so they will fit nicely against wood studs. This particular fireplace had been used on the day of the fire and firemen found embers remaining in the fireplace on their arrival. Another fireplace, all set to light, was piled high with kindling and logs. The result from a hot fire built in a fireplace with 4-inch walls in contact with wood studs could hardly be other than what happened. The wood stud ignited and smoldered for several hours, spreading in the partition, and finally burning through to the attic above, where it burst forth into flames. The spread from this point was rapid, the short time between discovery and the time the firemen got into action being sufficient to make the attic untenable. Had firemen been able to operate inside the attic the work would have been much simpler.

DAMAGE

The attic was well burned out. The roof boards and joists are largely burned away and the heavy trusses badly charred. The attic floor is badly burned, but the floor joists are mostly intact. The wood shelving and documents stored there are almost totally destroyed. The metal lath and plaster inclosures around the skylight wells to the first floor are intact, having withstood the fire very well. Fire damage on the first floor was confined to the partitions, where the fire originated, and some damage to ceiling joists.

Numerous holes were cut in the metal lath and plaster ceiling, so the firemen could get at the fire in the attic and in order to determine if there was fire in the joist channels. Water damage on this floor was extremely heavy. The basement did not suffer from fire damage, but there was considerable damage to both building and contents from water.

The most valuable contents were removed from the basement and first floor by the President and his aides during the early stages of the fire. These were covered as far as possible by awnings and canvas available at the scene. Had salvage covers and equipment been available for use by firemen trained in salvage operations, water damage to contents could have been considerably reduced.

The entire roof and attic floor will have to be rebuilt, and probably most of the damaged section on all floors will have to be refinished. Considerable new plaster work will be necessary on the first floor.

Fire-department operations were well managed and every precaution taken to prevent spread of fire. The department deserves to be commended for keeping the fire within the attic in the face of the difficulties met. The building loss has been estimated at \$80,000, and the contents loss is probably considerably less than that. There was no insurance loss, as the Federal Government carries no insurance.

CONCLUSIONS

The cause of the fire was clearly indicated to be faulty construction of the fireplaces. Wood studs and furring strips were in direct contact with a 4-inch fireplace and chimney, which is, of course, absolutely contrary to the accepted rules of fire protection.

The fire once more demonstrates very clearly the folly of combustible construction for important buildings, especially when they house operations and documents as valuable as those in connection with the Federal Government. It is obvious, too, that standard protective measures such as used in mercantile and manufacturing plants would have avoided or reduced the loss. The following points stand out as imperative for the prevention of other such fires:

1. House all important operations, contents, and records in buildings of standard fire-resistive construction.
2. Carefully supervise new construction, and reconstruct all existing heating apparatus, such as chimneys, flues, and fireplaces, to conform to accepted fire-protection standards.
3. Have the entire buildings covered regularly by watchmen recording their rounds on approved clocks. Such a system with sufficiently frequent rounds would have taken the guards into the attic and assured earlier discovery of the fire.
4. Important records and documents should be kept in safes or vaults and not left in desks and ordinary filing cases. Such material as existed in the attic should be disposed of if worthless; otherwise it should be kept in vaults likewise. This material in connection with wooden shelving made this fire very difficult to extinguish.
5. Important buildings should be equipped throughout with an automatic fire-alarm system, ringing an alarm in a central station where some one is always on duty. This will give immediate notice of any fire.
6. Where buildings of combustible construction or with combustible interiors must be used for a time, they should be equipped with automatic sprinklers, especially in basements, attics, closets, and like places.
7. Salvage covers would have been of value in protecting contents from damage.

HOUSE BILL REFERRED

The bill (H. R. 9046) to amend the fourth paragraph of section 13 of the Federal reserve act, as amended, was read twice by its title and referred to the Committee on Banking and Currency.

ENROLLED BILLS PRESENTED

Mr. GREENE, from the Committee on Enrolled Bills, reported that on to-day, March 6, 1930, that committee presented to the President of the United States the following enrolled bills:

S. 846. An act to authorize the Secretary of Commerce to convey to the State of Michigan for park purposes the Cheboygan Lighthouse Reservation, Mich.;

S. 1487. An act authorizing the Secretary of the Treasury to permit the erection of a building for use as a residence for the Protestant chaplain at the National Leper Home at Carville, La., and for other purposes;

S. 2668. An act granting the consent of Congress to the Missouri-Kansas-Texas Railroad Co. to construct, maintain, and operate a railroad bridge across the Missouri River at Boonville, Mo., in substitution for and in lieu of an existing bridge constructed under the authority of an act entitled "An act to authorize the construction of a bridge across the Missouri River at Boonville, Mo.," approved May 11, 1872;

S. 3030. An act to amend an act entitled "An act to provide for the further development of agricultural extension work between the agricultural colleges in the several States receiving the benefits of the act entitled 'An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts,' approved July 2, 1862, and all acts supplementary thereto, and the United States Department of Agriculture," approved May 22, 1928; and

S. 3193. An act to authorize the State Roads Commission of Maryland to construct a highway bridge across the Nanticoke River at Vienna, in Dorchester County, Md.

REVISION OF THE TARIFF

The Senate resumed the consideration of the bill (H. R. 2667) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes, the pending question being on concurring in the amendment made as in Com-

mittee of the Whole fixing the rate on casein or lactarene at 5½ cents per pound.

Mr. HOWELL obtained the floor.

Mr. HARRISON. Mr. President, will the Senator yield to me to make one observation?

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Mississippi?

Mr. HOWELL. I yield.

Mr. HARRISON. I merely want to call the attention of the Senate and the country to the fact that the Great Western Sugar Co., which controls 48 per cent of the sugar from sugar beets in this country and which has made \$51,000,000 profit in the last eight years, yesterday had voted into their pockets a further increase on the common stock, which closed last night on the exchange at \$31.50 per share and opened this morning at \$33.50, and at the last report had gone to \$34. There are 1,800,000 shares of this stock. So that means \$4,500,000 to the stockholders of the Great Western Sugar Co.

Mr. THOMAS of Idaho. Mr. President, will the Senator yield?

The VICE PRESIDENT. The Chair reminds Senators that the time is fixed to vote on this question at 12 o'clock and that until that hour the time is divided equally.

Mr. HOWELL. I yield to the Senator from Idaho.

Mr. THOMAS of Idaho. I wanted to ask the Senator from Mississippi what was the price of Great Western stock before the other vote was taken in January?

Mr. HARRISON. Three days ago it was \$28.50 and at the last report this morning it was \$34.

Mr. THOMAS of Idaho. But my question was as to its price in January, before the other vote was taken.

Mr. SMOOT. And \$34 is quite different from \$76, which was the previous price.

The VICE PRESIDENT. The Senator from Nebraska has the floor.

Mr. HOWELL. Mr. President, I hold in my hand a copy of the Nebraska Farmer, issued weekly, and under the head of "Crops and Weather" it has reports from various parts of Nebraska. I will read an excerpt from a report from Dawson County, in the south-central portion of the State:

Prices: Wheat, 90 cents; corn, 66 cents; rye, 70 cents; barley, 45 cents; oats, 35 cents; butterfat, 29 cents.

Wheat is bringing in mid-Nebraska but 90 cents a bushel, butterfat 29 cents a pound, and this is a reduction of 13 cents in the price of butterfat within the last two months. To-day I am receiving telegrams from the western part of Nebraska urging that Congress do something to stop the fall in the price of lambs. In that portion of the State and throughout the Middle West they are feeding lambs by the tens of thousands, as they do every year, and there has been such a drop in price that the feeders are confronted with a possible loss of \$5 a head. That is the situation confronting Nebraska, the Middle West, and other farming regions of the country.

As I have pointed out, there has been a drop of 30 per cent in butterfat in the last two months. It will be remembered that in the past the chambers of commerce throughout the country and the Agricultural Department have been urging the farmers to diversify, putting special emphasis upon the dairy industry. The farmers have diversified. Farmers have been improving their herds, paying large prices for animals specially bred for the production of milk, and now this industry is overdone.

It is reported that the storages of the country are filled with butter, and the consequence is a drop in the price of butterfat to 29 cents. Is it any wonder that the farmers engaged in the dairy industries are coming here with the plea "Give us relief; we want you to make such provision in the tariff law that the skimmed milk remaining after the butterfat is extracted from the whole milk may be used to further advantage in this country"? They have pointed out that casein, a product of skimmed milk, is being used in the United States to the extent of 42,000,000 pounds annually, and yet we are producing but 18,000,000 pounds, or 42 per cent, 58 per cent of the total being imported from Argentina.

Why from Argentina? Mr. President, a steer can be produced in Argentina for \$61 that costs \$120 to produce in this country. Cattle can be run in Argentina for one-half, and less, than they can be run in this country. As a consequence, the Argentinians can produce skimmed milk, and, with their cheap labor, make casein therefrom in competition with American casein and thus prevent our farmers and our dairy industry from supplying more than half the casein that is used here. As a consequence, and properly, these interests have come here and asked for adequate protection—so that the American farmer and the American dairy interests may provide the casein that is used in this country.

As a matter of fact, this is the first agricultural product that appears in the pending tariff bill, and it is one agricultural product respecting which the tariff can be made effective. Why? Because we do not produce of this commodity as much as we consume. We produce but 42 per cent of what we consume. Therefore, if a proper tariff is placed upon this product we shall be able to supply the remaining 58 per cent now being imported. It is being imported here why? Because the Argentinians receive but three-fourths of a cent a gallon for their skimmed milk, and with their cheap labor can produce this commodity at a price which discourages American production. Under present conditions the price of casein in the United States received at the factory is about 13.2 cents a pound, and on that basis all that can be paid for skimmed milk is 2 cents a gallon. It must be recognized that skimmed milk can not be hauled and delivered to the station for less than 2 cents a gallon. Therefore, there is not a sufficient margin in the production of casein to justify the farmer and the dairy interests engaging in the industry to the extent that is necessary in order to supply the domestic demand.

The tariff has been 2½ cents a pound. The farmer and the dairy interests have asked that it be increased to 8 cents a pound. What does that mean? It means that instead of the producers of casein being able to pay 2 cents only for skimmed milk they will be able to pay 3½ cents a gallon for skimmed milk. That is all that is asked. They ask that the rate on casein be increased from 2½ cents to 8 cents so that those who buy skimmed milk, those who use skimmed milk for the production of casein, shall be able to realize and pay not 2 cents a gallon but 3½ cents a gallon.

What is the cost of producing skimmed milk, Mr. President? Skimmed milk is the product of whole milk remaining after the removal of the butterfat. The butterfat runs about 3½ pounds to the hundred pounds, or 3½ per cent. The Department of Agriculture has found that the cost of producing whole milk in the Mid West, which is the lowest-cost region in this country for the production of this article, is \$2.64 a hundred pounds. Subtract the value of the butterfat, 3½ pounds, at 29 cents a pound, from the cost of a hundred pounds, and it will be found that skimmed milk costs 13½ cents per gallon; and yet with the tariff at 2½ cents on casein, all that it is now possible to pay for skimmed milk is 2 cents a gallon. With a 5½-cent tariff on casein all that it will be possible to pay is 2.7 cents a gallon, and if all that the farmer asks, 8 cents, shall be granted, then the producers of casein will be able to pay but 3½ cents a gallon for skimmed milk.

This certainly is a modest request on the part of the farmer and the dairy industry. The farmer is here asking for the rate proposed, and it ought to be granted. The only reason it has not been granted is this: The producers of coated paper have been here opposing this rate, although it is a fact that the average value of coated paper produced in 1928 was \$164 a ton and the tariff that is imposed upon such paper by Congress is \$100 per ton specific and 15 per cent ad valorem. In other words, in order to import that grade of paper into this country at that rate it must be manufactured and laid down at our ports at \$55.65 a ton, and then the tariff that must be paid is sufficient to bring it up to \$164 per ton. The ad valorem rate on that basis is 192 per cent.

Although the coated-paper manufacturers are the beneficiaries of such a tariff, yet they are here objecting that the farmer shall be enabled to sell skimmed milk and that the dairy interests shall receive for their skimmed milk not 2 cents a gallon as they are now, when it costs 13½ cents a gallon to produce it, but only 3½ cents per gallon.

It is urged that if the rate proposed is granted it will affect the use of casein in the production of paper. Mr. President, 30,000,000 pounds of casein are used a year in the production of paper. Assume that the use of casein were reduced one-half—to 15,000,000 pounds—add that to the 12,000,000 pounds that are used for other purposes; that makes 27,000,000 pounds; and still the farmers would not be affected except favorably, because they are only producing 18,000,000 pounds now, and we would have to increase our production 50 per cent in order to meet the demand under the hypothetical conditions I have suggested.

It is further urged, Mr. President, that the coated-paper manufacturers prefer and hence willingly pay a higher price for casein produced in Argentina than they do for the domestic product. I have before me a statement from the Drug Reporter giving the prices of casein for the last year. From January up to June there was no difference in the price between the imported casein and the domestic casein of equal fineness, except in one quotation, and then the domestic casein was quoted higher than the imported casein. An examination of the reported prices of casein as appearing in the Drug Reporter will

disclose that the prices were almost identical; that occasionally domestic casein was a little higher, a quarter of a cent higher, and that occasionally the imported casein is a quarter to a half cent higher.

Mr. President, there is every reason why this request should be granted, considering the condition of agriculture. It is a very modest request, but it means much to the dairy interests.

Mr. SHORTRIDGE and Mr. BLAINE addressed the Chair.

The VICE PRESIDENT. There are about six minutes remaining for those in favor of the amendment. The Senator from Nebraska has about six minutes of time left.

Mr. SHORTRIDGE. Mr. President—

The VICE PRESIDENT. Does the Senator from Nebraska yield the floor?

Mr. HOWELL. I yield the floor to the Senator from California.

Mr. SHORTRIDGE. Mr. President, it will be recalled that months ago—

Mr. ROBSION of Kentucky. Mr. President—

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Kentucky?

Mr. SHORTRIDGE. I yield, but time is on the wing.

Mr. ROBSION of Kentucky. I trust before the hour to close debate arrives that I may have a few minutes in order to present some matters in connection with this subject.

Mr. SHORTRIDGE. It will be recalled that months ago I offered an amendment providing for a duty of 8 cents a pound on casein.

Mr. ROBSION of Kentucky. Yes.

Mr. SHORTRIDGE. I will take but a few moments, Mr. President, to restate my views. I rise to say that I fully and unqualifiedly indorse and approve all that has just now been said by the Senator from Nebraska [Mr. HOWELL]. Months ago I offered an amendment proposing a duty of 8 cents on casein, and I and others presented facts which justify that measure of protection. The National Dairy Association and practically every farm bureau and farm organization in the Union have urged the adoption of this amendment. In their several resolutions and communications the facts have been so stated as to call for this proposed increase of the duty.

If we are here to assist agriculture, to do what we can to assist the farmer, then this rate should be given for the benefit of the farmer. The only argument that is made against the proposed rate has been suggested and has been conclusively answered by the Senator from Nebraska.

If I should proceed, it would be merely and unnecessarily to repeat what has been so clearly stated by our colleague. I earnestly trust that the Senate appreciates the importance of this item in the bill and that those who believe in the protective tariff doctrine, who think it wise, will vote to fix the rate on casein at 8 cents per pound.

Mr. BLAINE. Mr. President, I ask if the Senator from Kentucky [Mr. ROBSION] is going to speak in favor of the 8-cent duty or against it?

Mr. ROBSION of Kentucky. In favor of the 8-cent duty.

Mr. BLAINE. I will yield, then, to the Senator from Kentucky.

Mr. ROBSION of Kentucky. There have been speeches from two proponents of the duty. It seems to me that the opposition might use some time.

The VICE PRESIDENT. There are only five minutes left for those who are in favor of the 8-cent rate, and 25 minutes for those who are in favor of the 5½-cent rate.

Mr. ROBSION of Kentucky. Mr. President, in the brief time allotted to me I desire to express the hope that the Senate will adopt this amendment and grant this relief of 8 cents per pound on casein to the dairy people of this country.

The Cooperative Pure Milk Association, with its headquarters at Cincinnati, Ohio, and operating in Kentucky and Ohio, strongly commend this amendment. I have received letters and resolutions from various dairy people and dairy associations in Kentucky likewise urging the adoption of this 8-cents-per-pound duty.

It seems to me, with about 58 per cent of our supply of casein being brought into this country in competition with the American producers and dairying interests, that if we want to help agriculture and help the people on the farm, we could do so by adopting the amendment offered by the Senator from Nebraska [Mr. HOWELL].

If this amendment is adopted, and the skimmed milk of this country is turned into casein, this will be reflected beneficially, of course, in every other line of industry in this country. The dairy people, especially in this particular line, are suffering from this unfair and unjust competition. I am glad to have this opportunity to raise my voice and cast my vote in support of this measure.

Mr. President, I ask to have printed in the RECORD as a part of my remarks brief letters and statements from the dairy association and other interests of Ohio and Kentucky.

The VICE PRESIDENT. Without objection, it is so ordered. The time has expired.

The matter referred to is as follows:

CINCINNATI, OHIO, January 28, 1930.

Hon. JOHN M. ROBSION,

Senate Office Building, Washington, D. C.

DEAR SENATOR: At a meeting of the board of directors of this association held on January 27, the secretary was instructed to inform you that we deem it absolutely necessary that the import duty on casein be raised to 8 cents per pound to enable the dairy industry to compete with the foreign product.

With the cheap labor available in those countries from which casein is now imported, it is impossible to maintain the American standard of living for dairymen, as the low price of one dairy by-product bears down on the price of other dairy by-products.

Millions of gallons of skim milk which are now forced into dried skim milk or condensed skim milk could be utilized in making casein, of which approximately 60 per cent is now being imported. At present prices of these skim-milk by-products many million gallons of skim milk are wasted, because it does not pay to manufacture the by-products, yet we allow the foreign article to enter our market. This is an injustice to agriculture that should be corrected.

Increasing the income of the farmer will expand his buying power, to the benefit of all industries.

May we count on your support?

Yours very truly,

THE CO-OPERATIVE PURE MILK ASSOCIATION,
Per H. B. BERNING, Secretary.

COOPERATIVE EXTENSION WORK IN AGRICULTURE

AND HOME ECONOMICS, STATE OF KENTUCKY,

Alexandria, Ky., January 27, 1930.

Hon. J. M. ROBSION,

Senate, Washington, D. C.

DEAR SIR: At a meeting of the dairymen of Campbell County, held at the Alexandria courthouse January 27, the following resolution was passed:

The undersigned dairymen of Campbell County request you to use your influence in the support of Senator HOWELL's demand for 8 cents a pound tariff on casein.

SANDY McVEAN,
Secretary, Alexandria, Campbell County, Ky.

INDEPENDENCE, KY., February 6, 1930.

Senator JOHN M. ROBSION,

Senate Office Building, Washington, D. C.

DEAR MR. ROBSION: The fight on casein in the Senate is on to keep the tariff duty down to a level that will not materially help the dairymen.

Approximately 60 per cent of the casein used in the United States is imported. If we could make all of the casein used in our country it would provide a market for millions of pounds of skim milk that must be allowed to go to waste because at present prices it does not pay to make it. If the making of casein could be made more profitable, it would also help the dried skim and condensed skim milk markets.

The price on whole milk necessarily must be reduced when there is a surplus which must be worked into by-products.

The present deplorable condition of the dairy industry can be helped by placing a proper tariff on casein. Your support to Senator ROBERT B. HOWELL to get an 8-cents-per-pound duty on casein will be appreciated very much. Would be pleased to hear from you as to your stand on this matter.

Yours very truly,

A. C. BIRD, Dairy Farmer.

LUDLOW, KY., February 3, 1930.

Hon. JOHN M. ROBSION,

United States Senate:

I, as a milk producer, am interested in the effort put forth by Senator ROBERT B. HOWELL to secure an 8-cents-per-pound duty on casein. As our party pledges are to aid agriculture, I feel this is an opportunity. I am asking you as our Senator to support Senator HOWELL. I feel we are not asking much and that a protective tariff is as vital to our agriculture as it is to American manufacturing. Would you please inform me as to how you stand on this request and oblige,

Yours respectfully,

GEORGE A. EUBANKS,
Ludlow, Ky., R. R. 2.

CALIFORNIA, KY., January 27, 1930.

Hon. JOHN M. ROBSION,

DEAR SIR: I have been requested by some of my neighboring dairymen to write you requesting you to support Senator ROBERT B. HOWELL

to get an 8-cents-per-pound duty on casein. Hoping to receive a favorable reply from you, I beg to remain,
Respectfully yours,

ALFRED EISEN,
California, R. R. 2, Ky.

Mr. BLAINE. Mr. President, I shall take very little time in discussing the pending amendment. I discussed it fully last October and analyzed the whole situation as it relates to the dairy interests. I do not want to repeat what I then said. I do, however, want to protest against handing a gold brick to the dairy interests of this country; and when we impose a duty of 8 cents a pound on casein we are giving a gold brick to the farmers producing milk.

I was not surprised that the distinguished senior Senator from New York [Mr. COPELAND] is in favor of 8 cents a pound on casein; and Members of the Senate will not be surprised when they learn the fact that a large portion of the casein made in the Mississippi Valley, in the Northwest, in Pennsylvania, in Ohio, and in New York is carted down to New York City and there refined.

I am not surprised that the junior Senator from California [Mr. SHORTRIDGE] is favoring a higher rate on casein. His own city is one of the centralized points for the casein industry of the western coast, where the refiners are engaged in refining the casein as it comes from the local factories.

Mr. SHORTRIDGE. Mr. President, will the Senator yield?

Mr. BLAINE. I can not yield, Mr. President.

Mr. SHORTRIDGE. Just a word.

Mr. BLAINE. I have only 25 minutes.

The VICE PRESIDENT. The Senator declines to yield.

Mr. BLAINE. I was surprised that the Senator from Nebraska [Mr. HOWELL], who comes from the city of Omaha, fell for the proposition to offer the milk producers a gold brick; and I was as much surprised at the Senator from Kentucky [Mr. ROBSION].

Of course, it is conceivable that the gentlemen who come from the cities can not understand the viewpoint of the farmer on this matter and naturally can see only the viewpoint of the refiner.

Mr. President, I am not going to discuss the coated-paper proposition. I have not any particular interest in that matter, except to save the market for casein. Seventy-five per cent of the casein produced in this country and imported into this country goes into the coated-paper industry. There is no substitute for casein in making coated paper; but there is a substitute for casein-coated paper, and that is supercalendered paper.

We have a very small production of casein-coated paper in Wisconsin. I have learned recently that there is one small plant there that produces less than 6 per cent of the casein-coated paper of the country; so it is apparent that the casein-coated paper industry in Wisconsin is practically negligible.

If we lose the coated-paper market, we have lost 75 per cent of the market for casein; and understand, Mr. President, that the total consumption of casein in America is under 60,000,000 pounds. Our alleged 10,000,000,000 pounds of skimmed milk will produce, if converted into casein, 300,000,000 pounds of casein, most of it with no place to go—240,000,000 pounds of that casein without the prospect or possibility of a market.

Mr. President, I think it is a gross injustice to lead the dairy people of this country into the belief that they are going to profit from the proposed high duty on casein. If you do that, you will stimulate the production of casein and you will have a domestic competition that will kill off every local casein-producing factory in the United States; you will kill off your local factories and cooperatives, and then the field will be clear for the big processors.

Mr. President, I am willing to fix a tariff on farm products, including casein, at a rate that will cover the difference in the cost of production here and abroad and that will include a protective duty.

The Senator from New York [Mr. COPELAND] last night made the suggestion that in my debate last October I showed that the difference in the cost of production at home and abroad was from 4.35 to 5.13 cents per pound, and he said that I had overlooked the protective feature. The Senator evidently has not studied my remarks.

The Tariff Commission reported upon the cost of producing casein in America and the cost of producing casein in Argentina, our principal competitor. I am going to give the facts as they are officially recorded, and then let the Senate decide this matter upon those facts rather than ask the Senate to hand to the farmers a gold brick which will be not only ineffective but most harmful to the dairy interests of this country. I speak of the dairy interests of this country, knowing something about those

dairy interests, because Wisconsin has a little more than one-tenth of all the dairy cows in America, and dairying is one of the largest industries in my State.

Mr. HOWELL. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Nebraska?

Mr. HOWELL. Is it not a fact that the dairy interests in Wisconsin are in favor of this 8-cent rate?

Mr. BLAINE. No such information has come to me. So far as the farmers of Wisconsin are concerned, they have an intelligence which leads them to the conclusion that to hand them a gold brick is a fraud and a deception.

Mr. President, I call attention to the fact, as shown by the Tariff Commission, that the domestic cost per pound of converting skimmed milk into casein in the United States is 4.68 cents a pound. In Argentina it is 3.73 cents a pound. It costs in the United States $9\frac{1}{2}$ mills more per pound to produce casein than in Argentina, our chief competitor. Certainly $5\frac{1}{2}$ cents a pound is a protective duty when the difference in conversion cost is only $9\frac{1}{2}$ mills a pound.

Another fact: Under method 1, used by the Tariff Commission to determine the comparison of cost of production of domestic and Argentina casein the total cost of production of Argentina casein at New York is 13.04 cents a pound, which includes transportation and selling expenses, excluding transportation in Argentina from the interior to the seaboard, and the total cost of production of domestic casein is 10.17 cents a pound delivered at New York, including transportation.

I have disregarded that method, although I analyzed it last October. I have excluded in the computation I have made all value for Argentina skimmed milk. Excluding the value of skimmed milk in the Argentine Republic, but including the value of skimmed milk as shown by the Tariff Commission in the domestic product, the difference in the cost of production is 5.13 cents per pound.

But, you will observe the Argentina casein, or a portion of it, must be transported from the interior to the Argentina seaboard, and Argentina skim milk has some value, so that under that method of computation the cost of production of domestic casein is far less than 5.13 cents per pound.

I am not going to analyze method No. 2, used by the Tariff Commission, closely this morning, as I did that in the debate here a few months ago, but a comparison of the cost of production of domestic and Argentine casein shows that for all companies in the United States the cost is 11.57 cents a pound; in Argentina the cost is 11.11 cents a pound. That comparison shows an apparent excess of domestic cost over Argentine cost of 4.6 mills per pound. Does not a $5\frac{1}{2}$ -cent rate not only measure the difference in the cost of production at home and abroad, but as well give a tremendous protective tariff duty?

Again, excluding the value of skim milk in Argentina, and excluding the transportation cost from the interior of the Argentine Republic to the seaboard of that republic, the difference in the cost of production there and here is 4.35 cents a pound.

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Nebraska?

Mr. BLAINE. I can not yield, because I must give some one else a minute. I am very sorry, but there is only 25 minutes allotted.

Under method No. 3, used by the Tariff Commission in a comparison of the cost of conversion of domestic and Argentine casein, it is shown that the total conversion cost plus transportation and selling expense in the United States is 5.47 cents a pound; in Argentina it is 5.04 cents a pound. The apparent excess of domestic cost over Argentine cost is only 4.3 mills per pound.

Taking any computation that has been made, it is clearly shown that $5\frac{1}{2}$ cents a pound not only measures the difference in the cost of production here and abroad, but as well includes a very substantial protective duty in addition thereto.

Mr. President, I have taken all the time I am justly entitled to, but I want to say this in conclusion, that I asked the proponents of an 8 cents a pound duty upon what basis they figure that 8 cents a pound, and they have failed to indicate any method by which they arrive at that conclusion.

Their proposal is based on guesswork. They offer a gold brick to the farmer in the form of an ineffective, if not a positively harmful rate.

Mr. VANDENBERG. Mr. President, Senators favoring this amendment pray that we grant some relief to the dairy industry. If the pending amendment meant relief, I would vote for it, but, in my judgment, the only relief for the farmer which it would produce would be to relieve him from the market which he now enjoys for casein in the United States. In other words,

it is a situation where the farmer needs to be saved from his friends.

Let us be practical about this. We confront a condition, and not a theory. In my judgment, there will be no market left for 75 per cent of the casein now manufactured in the United States if this excessive tariff is put upon casein, because 75 per cent of all casein used in the United States is used in the production of coated paper, and coated paper can not be sold under this added burden.

Mr. President, coated paper is in a death struggle with supercalendered paper. This is not a speculation; it is an absolute fact. Coated paper's chief uses are, first, in the publication of magazines, and something like a hundred of the leading magazines in the United States have switched within the past two or three years from coated paper to supercalendered paper.

The second great use is in the creation of cigarette cartons, and within the past year one of the greatest single users of coated paper for cigarette cartons has switched to supercalendered paper.

There is no way left—and this as a trade proposition can not be denied—by which coated paper can be sold in the United States except on a price competitive basis with supercalendered paper.

What now is happening to affect this competitive situation? The present tariff rate on casein is 2½ cents a pound. The House increased the rate to 3½ cents a pound. Each penny of increase in the cost of casein per pound adds \$1.20 per ton to the cost of coated paper. Those figures are from the Tariff Commission. Therefore the House increased the cost of coated paper \$1.20 per ton.

The Senate increased the rate on casein to 5½ cents a pound. Therefore the Senate increased the cost of making coated paper \$3.60 per ton. Now the Senator from Nebraska asks that we increase the rate to 8 cents a pound, which would increase the cost of coated paper \$6.60 per ton.

The Senator from New York airily dismisses this price factor and says that is not very much. But the average, typical 10,000-ton paper contract would thus face a differential of \$66,000. I submit as a matured judgment that coated paper can not be sold much longer in the United States under any such competitive differential as that, because it is having difficulty to maintain its market even under conditions as they exist to-day. When coated paper disappears from the market, casein disappears along with it. This is an axiom.

There will be no market at all for 75 per cent of the casein now made by the American farmer if the Senate votes this increased duty. This thing we are now asked to do, Mr. President, is an unmeditated but fatal blow to the American dairy industry.

Mr. CAPPER. Mr. President, I learn from many sources in my own State, and from other States in that section to the north of us which is much concerned in the dairy industry, that the organized dairy interests of this country are practically unanimous in favor of the 8-cent duty on casein.

Mr. VANDENBERG. Mr. President, I rise to a point of order.

The VICE PRESIDENT. The Senator will state the point of order.

Mr. VANDENBERG. Has not all the time allotted to them been consumed by those favoring the amendment?

The VICE PRESIDENT. Yes; but there are two minutes remaining, and if some one wants to talk—

Mr. CAPPER. May I say just one word?

Mr. BLAINE. Mr. President, I would like to ask the Senator from Kansas if there has been any movement along this line except by the distinguished gentleman, Mr. Holman, a racketeer; the distinguished gentleman, Mr. Loomis, a racketeer; and the most distinguished gentleman, Mr. Gray, the racketeer, so-called farm representatives in Washington who are betraying the farmer into the hands of those who want to pick his pockets.

Mr. CAPPER. I can give the Senate this information as to the wishes of organized dairying, that only recently I discussed with Mr. Schilling, of Minnesota, representing the dairy industry on the Federal Farm Board. He assured me that this proposed duty of 8 cents is undoubtedly fair, is greatly needed, and he was very anxious to see the Congress give its approval to the proposed increase to 8 cents.

Mr. WALSH of Massachusetts. Mr. President, let me briefly present in opposition to this amendment certain information that can not be seriously questioned. In the tariff act of 1913 casein was on the free list. In the tariff act of 1922 it was given a rate of 2½ cents per pound. The House bill retained the present rate of 2½ cents per pound, while in the Senate bill the Senate Finance Committee proposed to increase the present rate to 3½ cents per pound. When the casein paragraph was up in

the Committee of the Whole the Senate Finance Committee amendment increasing the duty 1 cent per pound was rejected, and as a result we now have before us the proposal of the Senator from New York to increase the duty from 2½ cents per pound, as contained in the present law and the House bill, to 8 cents per pound.

Let us see what these rates represent in ad valorem terms. The present rate is the equivalent of 20 per cent ad valorem; the House rate, 20 per cent ad valorem; the Senate rate, 27 per cent ad valorem; and the 8-cent rate now under consideration, a rate of approximately 60 per cent ad valorem. In other words, the proponents of this amendment are seeking an increase of 200 per cent over the rate in the present law and the rate passed by the House and the rate sustained by the previous action of this body.

Mr. President, what is going to be the effect of this increased duty, supposing the 8-cent duty we are now considering is accepted? Its proponents claim that it is a measure of farm relief and will materially help the dairy farmers. Any benefit the farmers will receive will be infinitesimal. The duty will not materially increase the domestic production of casein because the two principle users of both domestic and imported casein—namely, the glue and coated-paper manufacturers—claim that they must have the imported casein, due to its superiority.

The domestic glue manufacturers testify that they are now paying 5 cents more per pound for the imported—French—casein, because they must have it to make the finest quality of glue, and the domestic coated-paper manufacturers say that they must have the imported casein, and will continue to buy it despite an increase in duty.

Skim milk is made into casein after it has left the farm. Approximately 90 per cent is produced by privately owned non-profit-sharing plants; 10 per cent, or less than 2,000,000 pounds, valued at \$250,000, by cooperatives. It has been reliably reported that at best even an 8-cent tariff would increase the price paid the farmer for milk only one-half cent per hundredweight—four-tenths of 1 cent of the total value of the milk—or 50 cents per farmer per year in the important dairy States—page 71, Senate hearings, Schedule 16, free list.

In contrast to any small benefit that might accrue to the dairy farmer because of this excessive tariff of 8 cents per pound let us consider the effect upon those domestic manufacturers who use casein in making glue and coated paper. First let me say that there is absolutely no doubt but that this duty will be fully effective, because at the present time it is necessary for domestic users to import 57 per cent of the casein used in this country.

Mr. President, coated-paper manufacturers in the United States produce 450,000 tons of coated paper each year. There are 120 pounds of casein used in the making of 1 ton of coated paper. Each 1 cent of duty placed on casein costs, therefore, the coated-paper manufacturer and other users of casein \$1.20 per ton. The rate of 8 cents per pound would cost them \$9.60 per ton. This means that the pending amendment, if carried, will cost the coated-paper manufacturers in this country \$4,077,000 each year. As Massachusetts produces 23 per cent of the domestic coated paper, it means that the coated-paper manufacturers of my State alone would pay a tax of \$1,000,000 each year in order to increase the income of the dairy farmers 50 cents per year.

There is little time left to adequately discuss this subject. I debated it at length when this item was earlier considered, to which I invite the Senate's attention. In conclusion, assuming that it would enable the domestic producers to supply the home market for casein, it would increase the cost of making coated paper, glue, plywood veneers, waterproof paints, and many other commodities by millions of dollars annually. Its most dire effect would be on those industries making coated paper for an export trade market, which are already in keen competition without this additional stupendous handicap. This amendment should be defeated without delay. It is indefensible.

The VICE PRESIDENT. In order to keep the record straight, the Chair thinks that unanimous consent should be given to reconsider the vote by which the amendment proposed by the Senator from New York [Mr. COPELAND] to the amendment made as in Committee of the Whole was rejected, so that the Senate may have another vote upon the amendment to the amendment. The record only shows that a reconsideration was had of the vote by which the amendment made as in Committee of the Whole was concurred in. Without objection, that order will be made.

Mr. HOWELL. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Frazier	La Follette	Smith
Ashurst	George	McCulloch	Smoot
Baird	Glass	McKellar	Stock
Barkley	Glenn	McMaster	Steiwer
Bingham	Goldsborough	McNary	Stephens
Black	Gould	Metcalf	Sullivan
Blaine	Greene	Moses	Swanson
Bleas	Grundy	Norbeck	Thomas, Idaho
Borah	Hale	Norris	Thomas, Okla.
Brock	Harris	Oddie	Trammell
Brookhart	Hastings	Overman	Tydings
Broussard	Hatfield	Patterson	Vandenberg
Capper	Hawes	Phipps	Wagner
Connally	Hayden	Pine	Walcott
Copeland	Hebert	Pittman	Walsh, Mass.
Couzens	Heflin	Robinson, Ind.	Walsh, Mont.
Cutting	Howell	Robison, Ky.	Waterman
Dale	Johnson	Schall	Watson
Dill	Jones	Sheppard	Wheeler
Fess	Kean	Shortridge	
Fletcher	Keyes	Simmons	

The VICE PRESIDENT. Eighty-two Senators have answered to their names. A quorum is present. The clerk will state the pending amendment.

The CHIEF CLERK. On page 7, line 12, strike out "5½" and insert "8," so the paragraph will read:

PAR. 19. Casein or lactarene and mixtures of which casein or lactarene is the component material of chief value, not specially provided for, 8 cents per pound.

Mr. HOWELL. I demand the yeas and nays.

The yeas and nays were ordered.

Mr. COPELAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. COPELAND. If I wish to vote for an 8-cent duty on casein, how should I vote on this question?

The VICE PRESIDENT. The Senator should vote "yea."

The Chief Clerk proceeded to call the roll.

Mr. HASTINGS (when his name was called). On this question I have a pair with the senior Senator from New Mexico [Mr. BRATTON]. Not knowing how he would vote, I withhold my vote.

Mr. MCKELLAR (when his name was called). On this vote I have a pair with the junior Senator from Delaware [Mr. TOWNSEND]. Not knowing how he would vote, I withhold my vote.

Mr. FRAZIER (when Mr. NYE's name was called). My colleague the junior Senator from North Dakota [Mr. NYE] is unavoidably absent from the Chamber. If present, he would vote "yea."

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from Illinois [Mr. DENEEN]. I transfer that pair to the Senator from Arkansas [Mr. CARAWAY] and vote "nay."

Mr. SIMMONS (when his name was called). I have a general pair with the senior Senator from Massachusetts [Mr. GILLET], who is necessarily absent. I am unable to obtain a transfer, and therefore withhold my vote.

The roll call was concluded.

Mr. FESS. I desire to announce that the Senator from Pennsylvania [Mr. REED] has a general pair with the Senator from Arkansas [Mr. ROBINSON].

Mr. THOMAS of Oklahoma (after having voted in the negative). I have a general pair with the senior Senator from West Virginia [Mr. GOFF]. Being unable to obtain a transfer, I withdraw my vote.

Mr. ROBINSON of Indiana (after having voted in the affirmative). I have a pair with the junior Senator from Mississippi [Mr. STEPHENS], who is not in the Chamber. I was under the impression that he had voted. Therefore I am obliged to withdraw my vote. If permitted to vote, I would vote "yea."

Mr. SHEPPARD. I desire to announce that the senior Senator from Mississippi [Mr. HARRISON], the junior Senator from Mississippi [Mr. STEPHENS], and the junior Senator from Arkansas [Mr. CARAWAY] are detained on official business.

I also desire to announce that the Senator from Mississippi [Mr. HARRISON] has a pair with the Senator from North Dakota [Mr. NYE]. If present and voting, the Senator from Mississippi would vote "nay," and the Senator from North Dakota would vote "yea."

I also wish to announce that the Senator from Wyoming [Mr. KENDRICK] is detained on business in his State.

The result was announced—yeas 34, nays 41, as follows:

YEAS—34

Allen	Brookhart	Fletcher	Johnson
Baird	Capper	Frazier	Jones
Barkley	Copeland	Glenn	McMaster
Bingham	Dale	Grundy	McNary
Borah	Dill	Howell	Metcalf

Phipps	Schall	Steiwer	Waterman
Pine	Sheppard	Sullivan	Watson
Pittman	Shortridge	Thomas, Idaho	
Robison, Ky.	Steck	Walcott	

NAYS—41

Ashurst	Glass	Keyes	Swanson
Black	Goldsborough	La Follette	Trammell
Blaine	Greene	McCulloch	Tydings
Bleas	Hale	Moses	Vandenberg
Brock	Harris	Norbeck	Wagner
Broussard	Hatfield	Norris	Walsh, Mass.
Connally	Hawes	Oddie	Walsh, Mont.
Couzens	Hayden	Overman	Wheeler
Cutting	Hebert	Patterson	
Fess	Heflin	Smith	
George	Kean	Smoot	

NOT VOTING—21

Bratton	Harrison	Ransdell	Stephens
Caraway	Hastings	Reed	Thomas, Okla.
Deneen	Kendrick	Robinson, Ark.	Townsend
Gillett	King	Robinson, Ind.	
Goff	McKellar	Shipstead	
Gould	Nye	Simmons	

So Mr. COPELAND's amendment to the amendment made as in Committee of the Whole was rejected.

The VICE PRESIDENT. The question now is upon concurring in the amendment made as in Committee of the Whole.

The amendment was concurred in.

Mr. WALSH of Montana. Mr. President, I inquire of the Senator from Utah [Mr. SMOOT] whether he thinks it might not be appropriate at this time to ask unanimous consent to limit debate?

Mr. SMOOT. Mr. President, personally I should have no objection doing so; I should like to see that done.

Mr. WALSH of Montana. I dare say that there are some amendments on which more prolonged debate might be desired by some Senators, although I hope not; but for the purpose of making a test, I ask unanimous consent—

Mr. SMOOT. Just a moment. If the Senator's request shall be acceded to, we shall have to agree to an exception as to hides, and one or two other items which are going to take some time for a discussion.

Mr. WALSH of Montana. Let us test it, then. I ask unanimous consent that hereafter debate be limited so that no Senator shall speak more than once nor longer than 10 minutes on any amendment which has been reserved.

The VICE PRESIDENT. Is there objection?

Mr. WALSH of Montana. I expect it is very likely that some Senators will want to make some exceptions to that request, and I shall be very glad to entertain any suggestions of that character.

Mr. WHEELER. Mr. President—

The VICE PRESIDENT. Does the senior Senator from Montana yield to his colleague?

Mr. WALSH of Montana. I yield.

Mr. WHEELER. I should object to the request of my colleague unless we shall except rayon from it.

Mr. WALSH of Montana. Then, I agree to except rayon.

Mr. BARKLEY. I should have to ask that pottery, brick, and glassware be made exceptions to the rule suggested by the senior Senator from Montana.

Mr. THOMAS of Oklahoma rose.

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Oklahoma?

Mr. WALSH of Montana. The exceptions seem to be so numerous that I withdraw the request.

The VICE PRESIDENT. The Senator from Montana withdraws his request.

Mr. GLASS. Mr. President, I should like to have the attention of the Senator from Utah [Mr. SMOOT] to suggest to him, if I may, that he would expedite the passage of the bill if he should secure a unanimous-consent agreement first to consider the item of lumber, next the item of oil, next the item of hides and shoes, and next the item of cement, in order that we may determine to what extent this new coalition has gone. Having determined that and decided those questions, the minor questions may be speedily disposed of.

Mr. SMOOT. I think the minor questions are not going to require very much debate, so that we should gain no time in the consideration of the bill by acceding to the suggestion of the Senator from Virginia.

Mr. GLASS. Those minor questions are taking the time of individual Senators; in other words, there are a multitude of items in which some of us have no particular interest, and we should feel more like attending to other duties than staying here and hearing discussion upon them. By disposing of the items I have mentioned, we would greatly expedite the consideration and passage of the bill.

Mr. SMOOT. I think we had better go on regularly now.

Mr. JONES. Regular order.

The VICE PRESIDENT. The regular order is demanded.

Mr. GLASS. I ask unanimous consent that we immediately consider the items which I have already cited in the order I have named them.

The VICE PRESIDENT. Is there objection?

Mr. BARKLEY. Reserving the right to object, I desire to say that there is no amendment on oil pending, and we do not know that there will be one.

Mr. GLASS. Yes, we do.

Mr. BARKLEY. Such an amendment is not now pending, and how can we agree to take up something which is not before the Senate?

Mr. GLASS. But undoubtedly it will be before us.

Mr. JONES. I call for the regular order, Mr. President.

The VICE PRESIDENT. The regular order is demanded. The Secretary will state the next reserved amendment.

The CHIEF CLERK. The next amendment reserved is in paragraph 69, on page 29, lines 16 and 17, to insert "if valued at more than 10 cents per pound, 4 cents per pound; if valued at 10 cents per pound or less."

The VICE PRESIDENT. The question is on concurring in the amendment made as in Committee of the Whole, which has just been stated.

Mr. COPELAND. I am proposing that the language inserted by the committee be stricken out. It places a higher rate upon certain grades of blue. It must be understood that ultramarine blues are used in coloring paints and lacquers and linoleums, which are products used commonly upon the farm. Of course, we have to make a reference to the farmer in everything having to do with the tariff bill, because the special session was called in the first place to relieve the farmer and we are relieving him; gradually we are taking away what he has, and will ultimately give him full relief; he will be utterly stricken.

Here is a proposal to add to his burden and increase the price of ultramarine blues and make the paints, linoleum, lacquers, and other articles he buys cost more.

I want to call attention to the fact that one manufacturer who made a very bitter attack upon a proposal to lower the tariff upon these blues and an effort to increase it has no reason to complain because the company in which he is interested sold in 1927, 4,243,170 pounds of ultramarine blue, while the total imports in that year were 916,000 pounds.

Mr. President, I have no disposition to take the time of the Senate—I have done that too much in the past—but I simply state that it is an absurd thing to give additional protection to an industry which is so prosperous as in these brief words I have indicated this one to be.

The VICE PRESIDENT. The question is on concurring in the amendment made as in Committee of the Whole.

Mr. HATFIELD obtained the floor.

Mr. SMITH. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state his parliamentary inquiry.

Mr. SMITH. The proposal of the Senator from New York is to eliminate or strike out the words in italics in lines 16 and 17, page 29?

Mr. COPELAND. Yes, sir.

The VICE PRESIDENT. In other words, the Senator from New York desires the Senate not to concur in the amendment made as in Committee of the Whole.

Mr. COPELAND. I desire to have the rate on all blues retained as at present at 3 cents.

Mr. HATFIELD. Mr. President, I feel that the motion which has just been made by my friend, the distinguished Senator from New York, is unjustifiable and will mean disaster to the ultramarine-blue industry of this country.

Mr. SMOOT. Mr. President, will the Senator yield for a moment?

The VICE PRESIDENT. Does the Senator from West Virginia yield to the Senator from Utah?

Mr. HATFIELD. I yield.

Mr. SMOOT. I wish the Senator would state, to begin with, that the only change proposed in existing law is upon ultramarine blues valued at over 10 cents a pound, and, so far as the farmer is concerned, he is not interested in them one whit.

Mr. HATFIELD. That is correct, Mr. President.

I beg to call the attention of the Senate to the hearings before the subcommittee of the Committee on Finance, and especially to the testimony of Mr. Henry Dourif, of Huntington, W. Va., who is one of the owners of the ultramarine plant located in that city, and to the following statement by the auditor of the company located there.

The statement by the auditor is as follows:

KENTUCKY COLOR & CHEMICAL CO.,

Louisville, Ky., July 13, 1929.

STANDARD ULTRAMARINE CO.,

Huntington, W. Va.

GENTLEMEN: After consulting with Mr. Neil Conley and giving careful consideration to what a statement would indicate which embraced a financial statement covering the operations of the National Ultramarine Co. for the past five years, we have decided it would do your cause more harm than good if they were sent in.

Our figures would indicate that the losses of the National Ultramarine Co. have grown less each year during the past five years as sales increased. The conclusion to be drawn from this by any neutral party would be that all that was needed was increased sales.

Yours very sincerely,

NATIONAL ULTRAMARINE CO.,
By SEVIER BONNIE, Vice President.

In other words, this industry, because of the various changes in tariff rates, has fluctuated more or less from an industrial point of view because of the imports from foreign countries.

IMPORTANCE OF THE INDUSTRY AND ITS DEVELOPMENT

Ultramarine is industrially the most important blue mineral pigment. It finds application in the following industries:

Paint and varnish, as a pigment.
Linoleum and oilcloth, as a coloring matter.
Paper, for tinting, coating, and bleaching.
Printing and lithographic inks, as a pigment.
Sugar refining, as a bleaching agent.
Rubber, as a coloring matter.
Soap and candles, as a coloring matter.
Cement tile and mosaic, as a coloring matter.
Enameling, as a coloring matter.
Artists' colors.

In addition to its use in these industries, a large quantity of ultramarine is used in laundry blue, which is also an item covered by paragraph 70 of the tariff act.

The importance of the ultramarine industry is shown by its diversity of use.

Artificial ultramarine was first manufactured in France in 1828 by a process devised by a French chemist. Prior to its manufacture it was produced from a mineral known as lapis lazuli and cost \$20 an ounce. The artificial process reduced the price of \$4 or \$5 per pound. By the improvement of the process of manufacturing, together with the competition, no doubt, the price has fallen within 10 cents to 25 cents per pound, depending on the quality. The first successful ultramarine plant established in this country was located in New Jersey in 1868.

RAW MATERIALS

The raw materials used are china clay, soda ash, kieselguhr, diatomaceous earth or other siliceous material, sulphur, and a suitable carbonaceous material, such as pitch, rosin, or lamp-black. The raw materials are mixed in proper proportions, heated in muffle or crucible furnaces, and then slowly cooled. The fired product is blue. It must be carefully washed to free it from soluble salts, finely ground, levigated, and dried. After disintegration of the dried batches they are bolted and blended to produce the desired standards satisfying to industries that use it.

About 30 per cent of the output of coarse, dull-colored material is separated from the first-quality ultramarine. This inferior product is not the result of technical errors; it is the result of the nature of the raw materials and of the very nature of the process, and has been responsible for the substitution by Congress of the specific rate in the way of tariff duty because of the contention as to grade.

Every ultramarine manufacturer has this inferior product to contend with and to dispose of. The success or failure of the ultramarine manufacturer hinges on the successful marketing of his second-class material.

Cost of production in the United States and abroad

	United States	France-Belgium
	Cents	Cents
Raw materials	3.2	3.2
Labor	3.6	.72
Supplies, repairs and packages	1.7	.85
Office and administrative expenses	3.2	.64
Plant depreciation	.8	.4
Taxes	.4	.4
	12.9	6.21

Selling expense and cost of raw materials are about the same for both domestic and the foreign manufacturers.

The difference in cost of production in Europe and home industries is largely due to labor wage.

The wage for unskilled labor for chemical factories is 25 francs in France, or \$1 per day as expressed in American money. This is one-fifth the amount paid in the United States for labor of the same grade. The wages paid for unskilled labor in chemical factories in the United States are \$5 to \$5.50 per day. The rates of wages for skilled mechanics, machinists, electricians, carpenters, and masons in France and Belgium amount to 16 cents per hour of American money, as compared with rates of similar skilled American labor of \$1 to \$1.25 per hour for electricians and machinists, \$0.70 to \$1 for carpenters, and \$1 to \$1.25 for masons in the United States.

The manufacture of ultramarine involves the use of furnaces and heavy crushing and grinding machinery. These high wages make the maintenance, supply, and repair charges an important item in the cost of production.

The estimated difference of cost in the manufacturing of ultramarine in the United States and foreign countries, particularly in France and Belgium, amounts to 6.69 cents per pound.

In this connection it must be remembered that the manufacture of ultramarine, as stated before, involves the unavoidable production of 30 per cent of second-class material, which must be sold near the cost of production. European manufacturers, with their initial lower cost of production, can market their second-grade materials in the United States to the serious embarrassment or the destruction of the American ultramarine industry unless the industry receives adequate protection on both the high and the low grades of ultramarine.

TARIFF HISTORY

In 1870 the duty on ultramarine was 6 cents per pound. It was reduced to 5 cents in 1883, then to 3 cents in 1894, and increased again to 4½ cents in 1897. In 1909 it was reduced to 3 cents. In 1913 the duty was radically changed to 15 per cent ad valorem, which was maintained until 1922, when the specific rate of 3 cents per pound was imposed.

An ad valorem duty is not applicable to ultramarine because of the difficulty of appraisal.

Prior to the year 1870 there was an ad valorem duty on ultramarine blue; but the appraisal of the imports caused such confusion, and so much acrimonious discussion followed, that the rate, at the request of all concerned, was changed to a specific one, and has remained so ever since.

It seems hardly necessary to follow the argument in favor of specific rates on this item any further.

I present a table of imports of ultramarine for the years 1910 to 1920, taken from the Tariff Survey already referred to. This table has been extended by the addition of the statistics of imports for 1923 to 1927, the later figures being taken from the Annual Reports of Foreign Commerce and Navigation. I ask to have this table printed in the RECORD without reading.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Imports of ultramarine

Fiscal year:	Rate of duty	Quantity	Value
		Pounds	
1910.....	3¾ cents per pound.....	18,830	\$1,879
1911.....	3 cents per pound.....	690,896	64,322
1912.....	do.....	685,953	63,817
1913.....	do.....	745,091	66,435
1914.....	do.....	694,938	62,259
1915.....	15 per cent.....	199,815	17,051
1916.....	do.....	701,888	61,341
1917.....	do.....	641,381	62,715
1918.....	do.....	401,605	44,709
1919.....	do.....	388,201	36,433
1920.....	do.....	359,136	35,210
1921.....	do.....	197,573	25,861
1922.....	do.....	287,520	29,490
1923.....	do.....	310,165	38,968
1924.....	do.....	235,887	19,954
1925.....	3 cents.....	641,765	84,501
1926.....	do.....	853,161	108,916
1927.....	do.....	960,335	143,596
1928.....	do.....	869,528	118,562
1929.....	do.....	916,964	113,662

¹ Complete figures for 1920, 1921, and 1922 are not available.

The quantities imported show a gradual increase from 1910 onward, and show an enormous increase under the low ad valorem rate of 15 per cent for the year 1914.

The decreases shown subsequent to 1914 and to 1920 are of no significance.

List of manufacturers of ultramarine in the United States:

The Heller & Merz Co., Newark, N. J.; the International Ultramarine Works, Staten Island, N. Y.; the Russ Co., South Bend, Ind.; the Standard Ultramarine Co., Huntington, W. Va.; the National Ultramarine Co., Cincinnati, Ohio.

Mr. HATFIELD. The importations of ultramarine from 1923 onward show an increasing tendency under the specific duty of 3 cents per pound. It is significant to note that the average price of the imports for 1925, 1926, and 1927 show a marked decrease.

Value of ultramarine imports in cents per pound for—

1925.....	14.95
1926.....	13.6
1927.....	12.4

This clearly indicates an endeavor on the part of foreign manufacturers to master the American market.

RECOMMENDATIONS

All American manufacturers of ultramarine unite in recommending that a new specific duty of 6 cents per pound on ultramarine be adopted in the new tariff act now under consideration. They also recommend that the wording of paragraph 70 of the act of 1922 be copied for the proposed tariff revision.

I have here statistics of domestic production and imports, which I ask to have printed in the RECORD without reading.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

Domestic production ultramarine blue

Year	Pounds	Value	Value per pound	Production centers
1923.....	7,064,134	\$1,087,547	\$0.154	Indiana, Illinois, New Jersey, Ohio, and West Virginia.
1925.....	8,366,920	1,226,696	.147	Indiana, New Jersey, Ohio, and West Virginia.
1927.....	8,347,893	1,187,435	.142	Indiana, New Jersey, Ohio, and West Virginia.

Source: Census of Manufactures.

Imports ultramarine blue, wash, and all other blues containing ultramarine

Year	Pounds	Value	Value per pound
1923.....	641,765	\$84,501	\$0.132
1924.....	853,161	108,916	.128
1925.....	960,335	143,596	.150
1926.....	869,528	118,562	.136
1927.....	916,964	113,662	.124
1928.....	934,210	113,049	.121

Imports in 1925, originating chiefly in the United Kingdom, were equivalent to 11.5 per cent of domestic production in that year. Invoice analysis of four months for 1929 indicated that 82 per cent of imports were over 10 cents in value and 18 per cent under 10 cents.

(Source: Foreign Commerce and Navigation.)

Exports: Statistics are not available.

Prices: From 1922 to 1927 prices of ultramarine blue, lowest quality, remained at 8 cents per pound in the New York spot market, dropping to 6 cents per pound during 1928. On October 21, 1929, ultramarine blue in barrels was quoted at 6 cents per pound. Grades of higher quality ranged to 30 cents per pound.

(Source: Oil, Paint, and Drug Reporter.)

Mr. HATFIELD. The facts that are submitted in this brief, and the facts that were submitted to the Finance Committee, it seems to me, ought to be sufficient to enable the Senate to decide to support and continue the present tariff rate. If that is not done, in my judgment, imports will continue to increase, the American industry will languish, and in all probability some of the establishments will be forced to shut down.

The PRESIDING OFFICER (Mr. Fess in the chair). The question is on concurring in the amendment made as in Committee of the Whole. [Putting the question.] By the sound the ayes seem to have it.

Mr. SMOOT. I call for a division.

Mr. SMITH. Mr. President, before this vote is taken I desire to make a statement.

Here are practically 9,000,000 pounds of what seems to be a negligible product, but when we consider that this color enters into almost every possible form of our domestic life where any coloring is used, it is by no means negligible. Every laundry uses it. Every linoleum manufacturer uses it. It is used in the pigments of paint where this color is desired. When we consider the vast domestic use to which it is ultimately put, we

are asked to place a duty on the entire product and a tax on all the American people in order to protect the producers of this material from an importation of less than a million pounds.

Mr. SMOOT. Mr. President, this increase applies only to ultramarine blue valued at over 10 cents a pound.

Mr. SMITH. I am speaking about ultramarine blue. It is one of the forms that enter into the industrial life of this country; and we produce, in round numbers, about 9,000,000 pounds and import a little less than a million pounds. In every phase of our domestic life in which this material is used, in order to protect the American producer from a competition to the extent of one-ninth of the consumption, we are going to impose a tax on every form of paints or colors in which this material is used.

We marvel sometimes why the manufacture of automobiles is so high. We may have automobiles free of duty, but when we calculate the accumulated duties on the articles which enter into the manufacture of automobiles, it will be seen that it is practically impossible for us, under the conditions which exist in this country, to get a reduction in the price of the manufactured articles we are compelled to use.

It seems to me that with the history of this thing before us, with the so-called moderate tariff which has existed heretofore, we are still maintaining a 9 to 1 production in this country, comparing imports with exports, and what possible reason there can be for us to impose an additional cent a pound on this article is beyond my comprehension.

Mr. HATFIELD. Mr. President, will the Senator yield?

Mr. SMITH. I yield.

Mr. HATFIELD. Does the Senator know the difference in the price per pound for ultramarine blue in Europe as compared with the price in the United States?

Mr. SMITH. That does not concern me in this matter, because the statistics show that, no matter what the price abroad may be, we are holding the domestic import parity in the proportion of 9 to 1 in favor of us.

Mr. HATFIELD. For the information of the Senator, I wish to say that in 1923 the price of the imported article was 13.2 cents and for the home product it was 15.4 cents. Taking into consideration the difference in the price paid American labor and the price paid Belgian and French labor, it can be seen how small the margin is upon which this industry in the United States operates; and not to give the industry in the United States consideration in the way of the protection they ask for is, in all probability, to surrender the greater part of this production to European industry.

Mr. SMITH. Mr. President, the Senator has answered his own argument. Even if the price for the foreign article was 13 cents as compared with the American price of 15 cents, for some reason the American product is used to the extent of 9 to 1.

This is but another illustration of the fact that no consideration has been given in this body to the American consumer, the vast number of those who are consuming these products. The mortifying spectacle was exhibited here yesterday of this body raising the duty on sugar to protect a handful of organized American manufacturers against a hundred and twenty million consumers.

Mr. COPELAND. Mr. President, will the Senator yield?

Mr. SMITH. I yield.

Mr. COPELAND. I have some interesting information here, and I read this one sentence:

We have obtained cost information from several different European producers, and, as previously stated, find in the final analysis that their ultimate cost of the product in this country, even with the duty, is about the same as in the American market.

Mr. SMITH. Exactly. Consider the tragic performance which occurred here yesterday. What, in its analysis, does it mean? That out of the pockets of the American consumers of sugar there will be taken a tax amounting to something like \$50,000,000, not to go into the pockets of the American manufacturer in its entirety—perhaps not more than \$11,000,000 will go to them—but there will be taken out of the pockets of the American people something like \$40,000,000, which will be put into the Treasury, and then we give \$160,000,000 back to those taxpayers who do not need aid from this Government.

We remitted \$160,000,000 of the people's money back to certain income-tax payers, when the vast majority of the American people have no incomes upon which to pay taxes, and the streets of this country are already congested with the unemployed who are to-day begging food from the public. We have no concern for that condition. We want to levy taxes where the income-tax payers can have their tax remitted whenever they are unfortunate in their gambling processes.

Mr. President, I for one shall stand here, regardless of what effect it may have upon some little coterie of manufacturers,

and plead for a chance for the American people, who to-day are in the worst condition financially this country has ever seen.

There is not a city in the United States to-day but what has its bread line. There is not a city in the United States to-day but whose business is practically paralyzed because of the inability of the masses to have the wherewith to purchase, and we here subtracting from the little modicum they have in order to swell the already great profits of those few who are manufacturing the necessities of life.

Will we not at any time consider the American people in our scheme of things? I feel derelict in my duty when I sit here and do not voice my protest against the system of taxation, indirect, not easily explainable to the poor individual who has not had opportunity to study its ultimate effect, but whose effect on his condition is spelled in the disaster that has overtaken the American people.

These small items, seemingly small, when added together, as they are used in the different departments of our manufacturing processes and accumulated with other duties on other essential articles, make it practically impossible for the mass of the American people to enjoy what might be prosperity and a blessing to all.

We have concentrated the benefits of American genius in the hands of a few, and so hedged them about with our infamous tariff laws that the American people, the most industrious, the greatest inventors of the world, with every facility for putting those inventions into practical use, are absolutely being starved in the midst of these wonderfully progressive times. With an abundance of water flowing, we are denying them the privilege of ever drinking a drop.

Mr. SMOOT. Mr. President, in the first place, I want to say that in the statement the Senator made that there is not a single city in the United States which has not a bread line he is mistaken.

Mr. SMITH. Mr. President—

Mr. SMOOT. I say the Senator is mistaken. I do not want to get into politics; I have kept out of politics in these matters.

Mr. SMITH. I do not want to get into politics. God knows, a hungry man does not want politics. He wants something to eat. It has been printed right in the papers of this city that every philanthropic institution in the city of Washington is overcrowded with applicants for work and for food, right here in the Capital City of the United States.

Mr. SMOOT. We will start with the Capital. There is no bread line in Washington, and there are thousands of cities in the United States where there are none.

Mr. SMITH. Go down to the Red Cross and see if there is or is not.

Mr. SMOOT. Mr. President, I call attention to the fact that the report shows exactly why this duty is proposed. It is to be applied on ultramarine blue, valued at above 10 cents a pound. A great deal of this product is made by a West Virginia company, and let me call attention briefly to what the situation has been.

In 1922 the net sales of ultramarine blue amounted to \$727,975, with a profit of \$136,554. Those profits in 1923, although there was increased production in 1923, dropped to \$103,000; in 1924 they amounted to \$107,000; in 1926 they dropped to \$90,000; in 1927 to \$52,000. In 1928 the producers sold \$621,705 worth and made \$4,751.10.

That shows beyond the question of a doubt that the committee was justified in fixing a rate on ultramarine blue valued at above 10 cents. There is no change on the cheaper grade of marine blue, used for the purposes the Senator has named. If there is any one amendment to which we should agree it seems to me this is the one.

The PRESIDING OFFICER. The question is on concurring in the amendment, and a division has been asked.

Mr. WALSH of Montana. I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. WALSH of Montana. I suggest the absence of a quorum.

Mr. ASHURST. Mr. President, a number of speeches have been made, but every speaker has overlooked telling us what the amendment is about. Will not some Senator who has helped to consume nearly an hour tell us what this is about?

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Brookhart	Fletcher	Harris
Ashurst	Capper	Frazier	Harrison
Baird	Connally	George	Hastings
Barkley	Copeland	Glass	Hatfield
Bingham	Couzens	Glenn	Hayden
Black	Cutting	Goldsbrough	Hebert
Blaine	Dale	Greene	Heflin
Borah	Dill	Grundy	Howell
Brock	Fess	Hale	Jones

Kean
Keyes
La Follette
McCulloch
McKellar
McMaster
McNary
Metcalf
Moses
Norris

Nye
Oddie
Overman
Patterson
Phipps
Pine
Ransdell
Robinson, Ind.
Robison, Ky.
Schall

Sheppard
Shortridge
Simmons
Smith
Smoot
Steidwer
Stephens
Sullivan
Swanson
Thomas, Idaho

Thomas, Okla.
Trammell
Tydings
Vandenberg
Wagner
Walcott
Walsh, Mont.
Waterman
Watson
Wheeler

Metcalf
Oddie
Patterson
Phipps
Pine

Ransdell
Robinson, Ind.
Robison, Ky.
Shortridge
Smoot

Steiwer
Sullivan
Thomas, Idaho
Vandenberg
Walcott

Waterman
Watson

NAYS—33

Cutting
Dill
Fletcher
Blaine
George
Glass
Harris
Harrison
Hayden

Heflin
La Follette
McMaster
Nye
Schall
Sheppard
Simmons
Smith
Stephens

Swanson
Trammell
Tydings
Wagner
Walsh, Mont.
Wheeler

NOT VOTING—26

Blease
Bratton
Broussard
Caraway
Deneen
Gillett
Goff

Gould
Hastings
Hawes
Johnson
Kendrick
King
McKellar

Moses
Norbeck
Norris
Overman
Pittman
Reed
Robinson, Ark.

Shipstead
Steck
Thomas, Okla.
Townsend
Walsh, Mass.

The PRESIDING OFFICER. Seventy-six Senators having answered to their names, a quorum is present. Is the demand for the yeas and nays seconded?

The yeas and nays were ordered.

Mr. HARRISON. Mr. President, will the clerk please state the pending amendment?

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 29, paragraph 69, ultramarine blues, after the word "ultramarine" at the end of line 15 and before the words "3 cents per pound," the Senate, as in Committee of the Whole, inserted:

If valued at more than 10 cents per pound, 4 cents per pound; if valued at 10 cents per pound or less.

The PRESIDING OFFICER. The question is on concurring in the amendment made as in Committee of the Whole. The yeas and nays have been ordered and the clerk will call the roll.

Mr. SMITH. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SMITH. Is this vote directly on the motion of the Senator from New York [Mr. COPELAND]?

The PRESIDING OFFICER. It is not. The question is on concurring in the amendment made as in Committee of the Whole. A negative vote on the part of the Senate is what the Senator from New York desires.

Mr. SMITH. A negative vote would strike out the proposal of the Finance Committee?

The PRESIDING OFFICER. That is correct.

Mr. HATFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HATFIELD. Is a vote "yea" a vote in favor of adopting the amendment recommended by the Finance Committee?

The PRESIDING OFFICER. It is. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McKELLAR (when his name was called). Making the same announcement as to my pair that I made on the previous vote, I withhold my vote.

Mr. SIMMONS (when his name was called). I again announce my pair with the senior Senator from Massachusetts [Mr. GILLET], who is not present. I have been unable to obtain a transfer, and therefore withhold my vote.

Mr. THOMAS of Oklahoma (when his name was called). On this question I have a general pair with the senior Senator from West Virginia [Mr. GOFF]. Not knowing how he would vote, I withhold my vote. If permitted to vote, I would vote "nay."

The roll call was concluded.

Mr. HASTINGS. Making the same announcement as on the previous vote, I withhold my vote.

I desire to announce the necessary absence of my colleague the junior Senator from Delaware [Mr. TOWNSEND].

Mr. FESS. I desire to announce the following general pairs: The Senator from Pennsylvania [Mr. REED] with the Senator from Arkansas [Mr. ROBINSON];

The Senator from Minnesota [Mr. SHIPSTEAD] with the Senator from Wyoming [Mr. KENDRICK];

The Senator from Maine [Mr. GOULD] with the Senator from Utah [Mr. KING]; and

The Senator from North Carolina [Mr. OVERMAN] with the Senator from Illinois [Mr. DENEEN].

Mr. SIMMONS. The junior Senator from Arkansas [Mr. CARAWAY] not having made his appearance, I am advised that I can transfer my pair to him. I do so, and vote "nay."

Mr. MOSES (after having voted in the affirmative). Mr. President, is the senior Senator from Iowa [Mr. STECK] recorded?

The PRESIDING OFFICER. That Senator is not recorded as having voted.

Mr. MOSES. I have a general pair with that Senator on all questions connected with the tariff bill. In his absence I withdraw my vote.

The result was announced—yeas 37, nays 33, as follows:

YEAS—37

Allen
Baird
Bingham
Capper
Couzens

Dale
Fess
Glenn
Goldsbrough
Greene

Grundy
Hale
Hatfield
Hebert
Howell

Jones
Kean
Keyes
McCulloch
McNary

So the amendment made as in Committee of the Whole was concurred in.

Mr. LA FOLLETTE. Mr. President, the next amendment is in paragraph 73, page 30, lines 5 and 6, litharge. It was fully debated in Committee of the Whole. I therefore ask unanimous consent that no Senator shall speak longer than five minutes nor more than once on the amendment.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

USE OF THE SENATE OFFICE BUILDING

Mr. HARRISON. Mr. President, it is not about the pending amendment that I desire to speak, because I imagine the action of the Committee of the Whole will be upheld by the Senate. It is my desire merely to call to the attention of the Senate the information carried in the headlines this morning not only of the Washington Post but of the press of the country:

Grundy tariff staff using Senate office.

I am sure that every Senator is interested in how the offices in the Senate Office Building are being used. This item, startling in character, says that—

The tariff organization directed by Senator JOSEPH R. GRUNDY—

and I am sorry the Senator from Pennsylvania is not now in his seat; I hope that those who direct the destinies of the Republican Party on the sidelines will have him return to the Chamber. The article reads:

The tariff organization directed by Senator JOSEPH R. GRUNDY (Republican), Pennsylvania, before he was appointed to the Senate has now been installed in a room in the Senate Office Building.

Revelation of this fact shocked Senators who were informed of it to-day and is expected to result in an investigation by the lobby investigation committee. There was a disposition to regard it as the possible counterpart of the Bingham-Bryanson affair disclosed earlier in the investigation.

Officials of the American Tariff League, of which Senator GRUNDY was vice president at the time he was named to the Senate, are included in the corps of workers who have been using this base of operations.

Then it names the staff of the Tariff League that is occupying those offices. It does seem to me, if this article is based upon facts, and I do not know whether it is or not, that the Senator from Pennsylvania himself will ask that the Tariff League change its base of operations or, if that is not done and the Senator from Pennsylvania insists on having the Tariff League operate from the offices in the Senate Office Building, that the chairman of the Rules Committee will ask that it be done. In the event that neither of these steps be taken, I can assure the Senate that Senators will have an opportunity to vote upon a resolution directing that those offices be vacated by the Tariff League and given to Senators who perhaps now have not enough space in the Senate Office Building.

I am quite sure that no Senator ever dreamed that the Senate Office Building would be turned into a base of operations for any organization that is seeking to get legislation here. It may be that the whole thing has been done through a mistake; that the Senator from Pennsylvania did not appreciate the proprieties of the situation; and I feel sure, since it is brought to his attention, that he will not insist on this tariff organization continuing to occupy offices in the Senate Office Building. I trust that the Senator from Pennsylvania can tell us that this whole article is a mistake; and if it is not a mistake, that then he will at least proceed very soon to have those people moved out of the Senate Office Building.

Mr. MOSES. Mr. President, inasmuch as the Senator from Mississippi [Mr. HARRISON] has referred to the chairman of the

Senate Committee on Rules, it might be well for me to review exactly what has happened, so far as the Committee on Rules knows about it.

The Senator from Pennsylvania came here, and like every other "freshman" Senator was assigned two rooms in the Senate Office Building. With the absence of his colleague, and the necessary multiplication of work in his own office, he represented to the chairman of the Committee on Rules, who is also chairman of the subcommittee of that committee in charge of the Senate Office Building, that his work required more room. An investigation indicated that that was true. Even the most cursory view of the offices then occupied by the Senator from Pennsylvania would show that to be true. There did not happen at the minute to be any available space which could be assigned for the additional purposes which the Senator from Pennsylvania apparently had in mind.

When the subcommittee of the Committee on Privileges and Elections, which had been investigating the contest between Mr. Wilson and Mr. Vare for the seat in the Senate from Pennsylvania, which the junior Senator from Pennsylvania [Mr. GRUNDY] now occupies, a room which had been made by partitioning off the end of a corridor of the Senate Office Building, became vacant, and that was assigned to the Senator from Pennsylvania. It was assigned to him in the same manner that any room in the Office Building is assigned to a Senator.

The chairman of the Committee on Rules has never thought it his duty to find out who occupied the rooms which are assigned to Senators. However, upon the publication of the article to which the Senator from Mississippi has referred, the chairman of the Committee on Rules undertook to make some inquiry, and was informed that the room had never been occupied by any except the regular employees of the Senator from Pennsylvania; that the tariff organization—I do not remember its name—still maintains its offices in an office building down town; and that the room in question is used solely by the members of the personal staff of the Senator from Pennsylvania; and, it being the practice of the Senate to accept the word of any Senator regarding any transaction, the chairman of the Committee on Rules looked upon the incident as thereupon closed.

REVISION OF THE TARIFF

The Senate resumed the consideration of the bill (H. R. 2667) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes.

The VICE PRESIDENT. The question is upon concurring in the amendment made as in Committee of the Whole.

Mr. HARRISON. Mr. President, of course that brings up a new matter.

The VICE PRESIDENT. Under the unanimous-consent agreement the Senator from Mississippi can not speak again on this amendment. There will, however, be another amendment pending in a few moments.

Mr. MOSES. A parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. MOSES. May the Senator from Mississippi and I resume this discussion later?

The VICE PRESIDENT. It will be the privilege of the Senators to do so if they desire when another amendment shall be before the Senate. The question is on concurring in the amendment made as in Committee of the Whole.

Mr. THOMAS of Idaho. Mr. President, I should like to have the amendment stated.

The VICE PRESIDENT. The amendment will be again stated.

The LEGISLATIVE CLERK. On page 30, line 5, the Senate, as in Committee of the Whole, struck out "2½ cents" and inserted "2½ cents," so as to read:

Litharge, 2½ cents per pound.

Mr. THOMAS of Idaho. Mr. President, in connection with this amendment I would say that it developed during the course of the debate when the subject matter was under consideration as in Committee of the Whole that the question of litharge was not considered before the Finance Committee. There was no information given as to why the tariff on that article should be reduced; but the Senate, as in Committee of the Whole, took action by reducing the tariff from 2½ cents to 2½ cents.

Mr. President, the manufacture of lead pigments furnishes one of the most important markets for pig lead. Out of a total annual lead production in the United States of 690,000 tons, it is estimated that about 275,000 tons, or approximately 40 per cent, are converted into lead pigments, such as white lead, red lead, litharge, orange mineral, and sublimed lead and lead chromates, from which it may be realized that anything affecting

the welfare of the lead-pigment industries is of primary concern also to the lead mining and smelting industries of the United States. One measure of the importance of the lead-pigment industries is indicated by the value of the lead pigments produced in the United States annually, which is about \$55,000,000.

Litharge, a monoxide of lead, is used in the manufacture of storage batteries, paint, enameled ware, linoleum, glassware, pottery, and printing inks, oil refining, varnish manufacture, and rubber making.

Red lead, a tetraoxide of lead, is used mainly in paints for protecting iron and steel work, but it is also used in many of the industries mentioned in connection with litharge.

Orange mineral, also a tetraoxide of lead, is a lead pigment of minor importance used mainly in the manufacture of imitation vermilion.

White lead, the hydrated basic carbonate of lead, is a base for high-grade paints and is also used in the manufacture of pottery, enameled ware, and putty.

Sublimed lead is a basic lead sulphate used mainly in paint.

Lead chromate is used as a coloring pigment in paints and ink.

Briefly, Mr. President, domestic litharge production supplies almost completely the domestic demand for litharge. Imports, thanks to the protection granted by the tariff act of 1922, are negligible. A small volume of export business is done; in 1928, 2,100 tons of red lead and litharge were exported compared with a domestic production of 125,000 tons; but practically all the exported litharge was either made in bond, or manufactured with benefit of drawback, from imported pig lead, mainly Mexican. It may not be said therefore, as intimated by those who favored a reduction in the tariff on litharge, that the litharge business is on a healthy export basis.

The protection enjoyed by litharge under the tariff act of 1922 is 2½ cents per pound, which is a little over one-half cent above the compensatory rate of 1.95 cents. The extremely modest protection of 1922 has been sufficient to keep foreign importations to a minimum; but if the tariff reduction in litharge to 2½ cents proposed by the Senate becomes law, there is a distinct danger that imports of litharge will enter the United States, displace both the American-made product and an important market of the domestic lead miners and smelters. Another likelihood is that the manufacture of lead pigments might be transferred to Canada, where unused manufacturing facilities are already available. If this should come to pass, some plants in the United States would likely have to shut down. The proposed tariff reduction leaves litharge with only about one-eighth cent per pound over the compensatory rate, which is little more than a brokerage on an importation of this nature. Considering the fact that labor costs in European pigment-producing countries are much lower than in the United States, the protection of one-eighth cent per pound above the compensatory rate is sadly deficient in allowing for the difference between American and foreign labor costs.

I may add that the production of lead pigments is a very important industry in a great many States, and is one which employs a great many men. It is my judgment that anything that has to do with the production of lead pigments affects directly lead mining operations and the employment of labor. I hope the amendment adopted as in Committee of the Whole will not be concurred in.

Mr. HATFIELD. Mr. President, aside from the States that produce lead, a great many States, including my own, manufacture it into the finished product. The States of California, Indiana, Illinois, Pennsylvania, Ohio, New York, New Jersey, Missouri, and West Virginia are largely responsible for the production of red lead, paint, litharge, and so forth. I find myself in harmony with the junior Senator from the State of Idaho [Mr. THOMAS], and I, too, hope that the amendment made as in Committee of the Whole will not prevail.

Mr. ODDIE. Mr. President, I am familiar with the mining situation in this country. Quite recently the price of silver has dropped to a very alarming extent. The lead-mining industry of the United States is very closely affiliated and allied with the silver mining industry, because almost every lead deposit contains a certain amount of silver. The decrease in the price of silver has had a very bad effect on the lead mining industry, and the troubles that have come to that industry are reflected in the whole range of mining activity.

Mr. President, mining is one branch of industry that has not received the recognition it should receive from the Congress of the United States. We know what has been done for agriculture; we approve of it, and we stand ready to do more in the way of appropriations, and otherwise, when it can be shown that such aid is needed; but only a fraction of what has been done for agriculture has been done for the mining industry. It

has stood by and suffered; it is in a depressed condition, and the most we can now do is little enough. I hope that the pleas made by the Senator from Idaho [Mr. THOMAS] and the Senator from West Virginia [Mr. HATFIELD] will be heeded by the Senate and the amendment will be defeated.

The VICE PRESIDENT. The question is on concurring in the amendment made as in Committee of the Whole.

Mr. WALSH of Montana. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	George	McKellar	Smith
Baird	Glass	McMaster	Smoot
Barkley	Glenn	McNary	Steiwer
Bingham	Goldsborough	Metcalf	Stephens
Black	Greene	Moses	Sullivan
Blaine	Grundy	Norbeck	Swanson
Bleas	Hale	Norris	Thomas, Idaho
Borah	Harris	Nye	Thomas, Okla.
Brock	Harrison	Oddie	Trammell
Brookhart	Hastings	Overman	Tydings
Capper	Hatfield	Patterson	Vandenberg
Caraway	Hawes	Phipps	Walcott
Connally	Hayden	Pine	Walsh, Mass.
Copeland	Hebert	Ransdell	Walsh, Mont.
Couzens	Heflin	Robinson, Ind.	Waterman
Cutting	Jones	Robison, Ky.	Watson
Dill	Kean	Schall	Wheeler
Fess	Keyes	Sheppard	
Fletcher	La Follette	Shortridge	
Frazier	McCulloch	Simmons	

The VICE PRESIDENT. Seventy-seven Senators have answered to their names. A quorum is present. The question is on concurring in the amendment made as in Committee of the Whole.

Mr. THOMAS of Idaho. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. GEORGE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. GEORGE. As I understand, those who wish to concur in the amendment made as in Committee of the Whole will vote "yea"?

The VICE PRESIDENT. That is correct.

Mr. WALSH of Montana. I ask that the amendment adopted as in Committee of the Whole be stated.

The VICE PRESIDENT. The amendment will be stated.

The LEGISLATIVE CLERK. On page 30, line 5, the Senate, as in Committee of the Whole, struck out "2½ cents" and inserted "2½ cents," so as to read:

Litharge, 2½ cents per pound.

The VICE PRESIDENT. The question is on concurring in the amendment made as in Committee of the Whole. On that question the yeas and nays have been demanded and ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll:

Mr. McKELLAR (when his name was called). Making the same announcement as before as to my pair, I withhold my vote.

The roll call was concluded.

Mr. MOSES (after having voted in the negative). I transfer my pair with the senior Senator from Iowa [Mr. STECK] to the junior Senator from Vermont [Mr. DALE] and will permit my vote to stand.

Mr. SIMMONS. I transfer my pair with the senior Senator from Massachusetts [Mr. GILLET] to the senior Senator from Arizona [Mr. ASHURST] and will vote. I vote "yea."

Mr. THOMAS of Oklahoma. I have a general pair with the senior Senator from West Virginia [Mr. GOFF], who is absent. I therefore withhold my vote. If at liberty to vote, I should vote "yea."

Mr. McKELLAR. I transfer my pair with the Senator from Delaware [Mr. TOWNSEND] to the Senator from New York [Mr. WAGNER] and will vote. I vote "yea."

Mr. HATFIELD. My colleague [Mr. GOFF], if present, would vote "nay."

Mr. HASTINGS. On this question I have a pair with the senior Senator from New Mexico [Mr. BRATTON], and therefore withhold my vote. If at liberty to vote, I should vote "nay."

Mr. OVERMAN. I have a general pair with the senior Senator from Illinois [Mr. DENEEN]. Not knowing how he would vote on this question, I withhold my vote.

Mr. FESS. I desire to announce the following general pairs: The Senator from Pennsylvania [Mr. REED] with the Senator from Arkansas [Mr. ROBINSON];

The Senator from Maine [Mr. GOULD] with the Senator from Utah [Mr. KING]; and

The Senator from Minnesota [Mr. SHIPSTEAD] with the Senator from Wyoming [Mr. KENDRICK].

The result was announced—yeas 31, nays 43, as follows:

YEAS—31

Barkley	Connally	Heflin	Smith
Black	Fletcher	La Follette	Stephens
Blaine	Frazier	McKellar	Swanson
Bleas	George	Norris	Trammell
Borah	Glass	Nye	Tydings
Brock	Harris	Schall	Walsh, Mass.
Brookhart	Harrison	Sheppard	Walsh, Mont.
Caraway	Hayden	Simmons	

NAYS—43

Allen	Greene	McNary	Shortridge
Baird	Grundy	Metcalf	Smoot
Bingham	Hale	Moses	Steiwer
Capper	Hatfield	Norbeck	Sullivan
Copeland	Hawes	Oddie	Thomas, Idaho
Couzens	Hebert	Patterson	Vandenberg
Cutting	Jones	Phipps	Walcott
Dill	Kean	Pine	Waterman
Fess	Keyes	Ransdell	Watson
Glenn	McCulloch	Robinson, Ind.	Wheeler
Goldsborough	McMaster	Robison, Ky.	

NOT VOTING—22

Ashurst	Goff	King	Steck
Bratton	Gould	Overman	Thomas, Okla.
Broussard	Hastings	Pittman	Townsend
Dale	Howell	Reed	Wagner
Deneen	Johnson	Robinson, Ark.	
Gillet	Kendrick	Shipstead	

So the amendment made as in Committee of the Whole was nonconcurring in.

USE OF SENATE OFFICE BUILDING

Mr. GRUNDY. Mr. President, I rise for the purpose of confirming the statement made by the Senator from New Hampshire [Mr. MOSES] in regard to the personnel of the offices I occupy in the Senate Office Building.

There is no one there who is either directly or indirectly connected with the American Tariff League. The fact that there are people there beyond the allotment made by the Senate to each Senator is due to the fact that we are in the midst of a tariff revision, and Pennsylvania is interested in pretty nearly every paragraph of the schedules in the tariff bill. The senior Senator from Pennsylvania [Mr. REED] is abroad, and the result has been that a very large number of people from Pennsylvania and from the industrial East have called at that office, interested both in the lowering and the raising of the rates of duty. Therefore it has been necessary to have additional people there beyond those allotted by the Senate for clerical hire.

The situation in which I find myself is a situation in which Senator Pepper found himself when he was here in the midst of a tariff revision, and in which Senator Penrose always found himself, whether a revision was on or not. I desire, however, to take this opportunity of confirming what the Senator from New Hampshire said—that there is no one there directly or indirectly connected with the American Tariff League.

Mr. HARRISON. Mr. President, may I ask the Senator a question?

The VICE PRESIDENT. Does the Senator from Pennsylvania yield to the Senator from Mississippi?

Mr. GRUNDY. I do.

Mr. HARRISON. Then, as I understand the Senator, it is not true that the American Tariff League has changed its offices from uptown to the Senate Office Building?

Mr. GRUNDY. The American Tariff League, as I understand, is maintaining the same offices in the Transportation Building that they have had there for the last year or 14 months; and they certainly have not transferred them to the Senate Office Building.

Mr. HARRISON. And they have no offices in the Senate Office Building?

Mr. GRUNDY. They certainly have not. Members of the Tariff League who come to town, as well as their officers, from time to time call there, and they are very welcome visitors, indeed, and every courtesy that our office can extend to them I am delighted to have extended to them; but they are there as visitors and nothing else.

Mr. HARRISON. Of course, the members of the Tariff League would naturally come to the Senator's office and ought to be welcomed.

Mr. GRUNDY. They are very welcome.

Mr. HARRISON. But the Senator can appreciate that with a news report going out that this tariff organization had taken up offices in the Senate Office Building, and an office room was set aside for them, it does not sit very well; and the Senator would not approve of that, of course.

Mr. GRUNDY. Absolutely not; and I want to thank the Senator from Mississippi for rising in his place and bringing this matter to the attention of the Senate so that I could make this statement.

Mr. HARRISON. The Senator is very welcome.

Mr. CARAWAY. Mr. President, will the Senator yield to me for a question?

The VICE PRESIDENT. Does the Senator from Pennsylvania yield to the Senator from Arkansas?

Mr. GRUNDY. Certainly.

Mr. CARAWAY. Who is Warren F. Doane?

Mr. GRUNDY. Warren F. Doane is the editor of The Manufacturer, a publication of the Manufacturers' Club of Philadelphia.

Mr. CARAWAY. It is the journal of the American Tariff League, is it not?

Mr. GRUNDY. Oh, no; absolutely not. It has no connection with it.

Mr. CARAWAY. It is a Pennsylvania manufacturers' association journal?

Mr. GRUNDY. No, no.

Mr. CARAWAY. Does the Senator say it is an independent journal?

Mr. GRUNDY. It is an independent journal, published by the Manufacturers' Club of Philadelphia.

Mr. CARAWAY. Absolutely; and this man, Mr. Doane, is the hired editor?

Mr. GRUNDY. He is the hired editor.

Mr. CARAWAY. Has he been staying in this room in the Senate Office Building?

Mr. GRUNDY. He has headquarters in the LaFayette Hotel.

Mr. CARAWAY. I am not talking about where his headquarters is. Has he been staying in this room in the Senate Office Building?

Mr. GRUNDY. No; he is in town part of his time, and his room is in the LaFayette Hotel. He comes to my offices when I want him to come there, to consult with me.

Mr. CARAWAY. He has been principally staying there, has he not?

Mr. GRUNDY. Oh, no; he visits there when I want him to come to my offices.

Mr. CARAWAY. That is every day, is it not?

Mr. GRUNDY. No; not at all.

Mr. CARAWAY. Who is John Lerch?

Mr. GRUNDY. John G. Lerch is an attorney, a member of the firm of Lamb & Lerch, of New York City.

Mr. CARAWAY. He has been appearing here frequently in reference to this tariff bill?

Mr. GRUNDY. Oh, yes, surely; and other matters.

Mr. CARAWAY. Has he been staying a good part of his time in the Senate Office Building?

Mr. GRUNDY. Oh, my, no. He calls there from time to time. He is my personal counsel. He calls there when I ask him to call there.

Mr. CARAWAY. And he is representing quite a large number of industries that have items in this tariff bill?

Mr. GRUNDY. Oh, yes; I hope so.

Mr. CARAWAY. That is his principal business?

Mr. GRUNDY. I hope so; yes.

Mr. CARAWAY. Who is Arthur L. Faubel?

Mr. GRUNDY. He is the general secretary of the American Tariff League.

Mr. CARAWAY. On the pay roll at \$10,000 a year?

Mr. GRUNDY. That or more; yes.

Mr. CARAWAY. That is too much, but that is what it is. He has been staying in this room?

Mr. GRUNDY. No; he has not. He is a visitor there from time to time.

Mr. CARAWAY. A visitor there every day, is he not?

Mr. GRUNDY. He is not in town every day.

Mr. CARAWAY. Whenever he is here, that is where he stays?

Mr. GRUNDY. No; it is not. He calls there from time to time.

Mr. CARAWAY. I know about calling there from time to time, but he calls there every morning and stays until evening?

Mr. GRUNDY. No. He is around the Capitol here a great share of the time.

REVISION OF THE TARIFF

The Senate resumed the consideration of the bill (H. R. 2667) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes.

The VICE PRESIDENT. The clerk will state the next amendment reserved for a separate vote.

The LEGISLATIVE CLERK. On page 30, line 6, the Senate, as in Committee of the Whole, struck out "2½" and inserted in lieu thereof "2¼," so as to read:

Red lead, 2¼ cents per pound.

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent that upon this amendment no Senator shall speak more than once or longer than five minutes.

The VICE PRESIDENT. Is there objection. The Chair hears none, and it is so ordered.

Mr. THOMAS of Idaho. Mr. President, the same situation exists with reference to red lead that existed as to litharge. The Senate, as in Committee of the Whole, saw fit to reduce the tariff from 2¼ cents to 2½ cents per pound. An argument applying to litharge applies to red lead. I do not care to go into the discussion but do ask for a roll call.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. HATFIELD (when Mr. Goff's name was called). My colleague [Mr. Goff], if present, would vote "nay."

Mr. McKELLAR (when his name was called). Making the same announcement as before of my pair and its transfer, I vote "yea."

Mr. FESS (when Mr. Moses's name was called). I was requested to announce that the senior Senator from New Hampshire [Mr. Moses] is paired with the senior Senator from Iowa [Mr. STECK].

Mr. OVERMAN (when his name was called). I again announce my pair with the senior Senator from Illinois [Mr. DENEEN].

Mr. SIMMONS (when his name was called). I have a pair with the senior Senator from Massachusetts [Mr. GILLET], which I transfer to the junior Senator from Montana [Mr. WHEELER], and vote "yea."

Mr. THOMAS of Oklahoma (when his name was called). I have a general pair with the senior Senator from West Virginia [Mr. Goff]. Being unable to obtain a transfer, I withhold my vote.

The roll call was concluded.

Mr. McKELLAR (after having voted in the affirmative). I find that the Senator to whom I transferred my pair has come into the Chamber, so I withdraw my vote.

Mr. HASTINGS. On this question I have a general pair with the senior Senator from New Mexico [Mr. BRATTON], which I transfer to the junior Senator from Vermont [Mr. DALE], and vote "nay."

Mr. METCALF. I have a general pair with the senior Senator from Maryland [Mr. TYDINGS]. Not knowing how he would vote, I withhold my vote.

Mr. FESS. I desire to announce the following general pairs: The Senator from Pennsylvania [Mr. REED] with the Senator from Arkansas [Mr. ROBINSON];

The Senator from Minnesota [Mr. SHIPSTEAD] with the Senator from Wyoming [Mr. KENDRICK]; and

The Senator from Maine [Mr. GOULD] with the Senator from Utah [Mr. KING].

Mr. TYDINGS. I have a pair with the senior Senator from Rhode Island [Mr. METCALF], and I understand he has withheld his vote. Therefore I withhold my vote. If permitted to vote, I would vote "yea."

The result was announced—yeas 31, nays 41, as follows:

YEAS—31

Ashurst	Caraway	Hayden	Sheppard
Barkley	Connally	Heflin	Simmons
Black	Fletcher	La Follette	Smith
Blaine	Frazier	McMaster	Stephens
Blease	George	Norbeck	Swanson
Borah	Glass	Norris	Walsh, Mass.
Brock	Harris	Nye	Walsh, Mont.
Brookhart	Harrison	Schall	

NAYS—41

Allen	Goldsborough	McCulloch	Stetwer
Baldr	Greene	McNary	Sullivan
Bingham	Grundy	Oddie	Thomas, Idaho
Broussard	Hale	Patterson	Vandenberg
Capper	Hastings	Philips	Wagner
Copeland	Hatfield	Pine	Walcott
Couzens	Hawes	Pittman	Waterman
Cutting	Hebert	Ransdell	Watson
Dill	Jones	Robinson, Ind.	
Fess	Kean	Shortridge	
Glenn	Keyes	Smoot	

NOT VOTING—24

Bratton	Howell	Moses	Steck
Dale	Johnson	Overman	Thomas, Okla.
Deneen	Kendrick	Reed	Townsend
Gillett	King	Robinson, Ark.	Trammell
Goff	McKellar	Robson, Ky.	Tydings
Gould	Metcalf	Shipstead	Wheeler

So the amendment made as in Committee of the Whole was nonconcurrent in.

Mr. LA FOLLETTE. Mr. President, the Senate acted upon this amendment as in Committee of the Whole after full debate on February 7, 1930. I ask unanimous consent that the roll call

by which the amendment just now defeated was adopted may be printed at this point in the RECORD.

The VICE PRESIDENT. Is there objection?

There being no objection, the roll call was ordered to be printed in the RECORD, as follows:

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Mississippi [Mr. HARRISON]. [Putting the question.] The Chair is in doubt.

Mr. LA FOLLETTE and Mr. HARRISON called for the yeas and nays, and they were ordered.

The Chief Clerk proceeded to call the roll.

Mr. McNARY (when his name was called). Upon this vote I have a pair with the senior Senator from Missouri [Mr. HAWES]. If he were present, he would vote "yea," and if I were free to vote I should vote "nay."

Mr. RANDELL (when his name was called). On this vote I have a pair with the Senator from Iowa [Mr. BROOKHART], and therefore refrain from voting.

Mr. THOMAS of Idaho (when his name was called). On this vote I have a pair with the Senator from Texas [Mr. CONNALLY]. If he were present, he would vote "yea," and if I were permitted to vote I would vote "nay."

The roll call was concluded.

Mr. PATTERSON (after having voted in the negative). I have a general pair with the junior Senator from New York [Mr. WAGNER]. I therefore desire to withdraw my vote.

Mr. SCHALL. I desire to announce the unavoidable absence of my colleague [Mr. SHIPSTEAD], and I ask that this announcement may stand for the day.

Mr. NYE. Upon this question my colleague [Mr. FRAZIER], who is unavoidably absent, is paired with the senior Senator from Delaware [Mr. HASTINGS]. Were they present and voting, my colleague would vote "yea," and the senior Senator from Delaware would vote "nay."

Mr. SHORTRIDGE (after having voted in the negative). I have a pair with the Senator from Virginia [Mr. SWANSON], and therefore withdraw my vote.

Mr. McNARY. I wish to announce the following general pairs:

The Senator from Illinois [Mr. GLENN] with the Senator from Arizona [Mr. HAYDEN];

The Senator from Pennsylvania [Mr. REED] with the Senator from Arkansas [Mr. ROBINSON]; and

The Senator from California [Mr. JOHNSON] with the Senator from Iowa [Mr. STECK].

Mr. SHEPPARD. I wish to announce that on this vote the Senator from New Hampshire [Mr. MOSES] is paired with the Senator from Arkansas [Mr. CARAWAY].

I also wish to announce that the senior Senator from Nevada [Mr. PITTMAN] and the junior Senator from Arizona [Mr. HAYDEN] are necessarily absent from the Senate attending a conference in the West relating to the diversion of the waters of the Colorado River.

Mr. BROUSSARD. I desire to announce that the senior Senator from Louisiana [Mr. RANDELL] is necessarily absent from the Chamber on official business.

The result was announced—yeas 37, nays 35, as follows:

Yeas—37: Messrs. Allen, Barkley, Black, Blaine, Blease, Borah, Bratton, Brock, Capper, Copeland, Cutting, Dill, Fletcher, George, Glass, Harris, Harrison, Hefflin, Howell, Jones, La Follette, McKellar, McMaster, Norbeck, Norris, Nye, Overman, Schall, Sheppard, Simmons, Smith, Stephens, Thomas of Oklahoma, Tydings, Walsh of Massachusetts, Walsh of Montana, and Wheeler.

Nays—35: Messrs. Baird, Bingham, Broussard, Couzens, Dale, Denen, Fess, Gillett, Goff, Goldsborough, Gould, Greene, Grundy, Hale, Hatfield, Hebert, Kean, Kendrick, Keyes, McCulloch, Metcalf, Oddie, Phipps, Pine, Robinson of Indiana, Robison of Kentucky, Smoot, Steiwer, Sullivan, Townsend, Trammell, Vandenberg, Walcott, Waterman, and Watson.

Not voting—24: Messrs. Ashurst, Brookhart, Caraway, Connally, Frazier, Glenn, Hastings, Hawes, Hayden, Johnson, King, McNary, Moses, Patterson, Pittman, Ransdell, Reed, Robinson of Arkansas, Shipstead, Shortridge, Steck, Swanson, Thomas of Idaho, and Wagner.

So Mr. HARRISON's amendment was agreed to.

Mr. LA FOLLETTE. I ask unanimous consent that upon the next amendment debate shall be limited to five minutes, and that no Senator shall speak more than once.

Mr. COPELAND. I object.

Mr. LA FOLLETTE. I modify my request and ask that debate be limited to 10 minutes.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The Secretary will state the amendment.

The LEGISLATIVE CLERK. On page 31, lines 22 and 23, as in Committee of the Whole, the Senate disagreed to the committee amendment striking out "Sodium and potassium" and inserting "Sodium, potassium, lithium, beryllium, and caesium," and subsequently struck out paragraph 80, embracing lines 22 and 23.

Mr. COPELAND. Mr. President, may I have the attention of the Senator from Utah?

The VICE PRESIDENT. The Senator from Utah will please give his attention.

Mr. COPELAND. What I have in mind with reference to the omission in paragraph 80, page 31, is "lithium, beryllium, and caesium." Where will they go if they are eliminated from that paragraph?

Mr. SMOOT. They will go to paragraph 5 in the basket clause.

Mr. COPELAND. At what rate?

Mr. SMOOT. At 25 per cent.

Mr. COPELAND. The same rate as is provided in paragraph 80?

Mr. SMOOT. Yes.

Mr. COPELAND. The Senator is familiar with a customs decision where these items went to metals unwrought on the free list. Is there any danger that that is what might happen to them if they are not restored to this paragraph?

Mr. SMOOT. No; because we modified the free-list paragraph, and they will remain here no matter what action is taken. Unless there is a different vote taken in the Senate, they will remain here.

Mr. COPELAND. If the rate is the same, would it not be a more orderly procedure to have them retained in this paragraph?

Mr. SMOOT. No; I think the best thing to do is to keep them here. Just what was the Senator's question?

Mr. COPELAND. Would it not be better to disagree to what has been done and leave them in this paragraph?

Mr. SMOOT. That is what the committee recommended, but that was not the action of the Senate.

Mr. COPELAND. Let me explain to the Senate that these three metals were taken from this paragraph and would go into another paragraph where the rate is the same, but it would seem to me that the course to pursue is to disagree to what the Senate did and restore them to this paragraph. The rate would be identical.

Mr. SMOOT. That is what the committee tried to do.

Mr. COPELAND. What then should be the form of my motion?

Mr. SMOOT. To disagree to the action of the Senate.

Mr. COPELAND. I ask that the Senate disagree to the action of the Senate as in Committee of the Whole.

Mr. WALSH of Montana. Mr. President, I think we should first have some kind of information about what we are doing. I do not think a Member of the Senate, outside of perhaps half a dozen, has any sort of notion about what is taking place here.

On this matter the committee recommended a certain amendment, striking out "sodium and potassium" and inserting "sodium, potassium, lithium, beryllium, and caesium." The Senate in Committee of the Whole disagreed to that amendment. They did not want that done. They wanted to leave it simply "sodium and potassium." The reasons that impelled the Senate to that action no one knows anything about now. I have not a notion about what it was that induced the Senate at that time to disagree to the committee amendments.

Mr. SMOOT. We disagreed to the whole thing, not only the words "sodium and potassium" but we disagreed to the entire paragraph. That then takes it back into the basket clause.

Mr. LA FOLLETTE. And reduces the duty. In other words, it was to strike out the increase which the committee placed there.

Mr. SMOOT. No; it was not. There was no change in duty.

Mr. COPELAND. No; the duty is the same.

Mr. SMOOT. The basket clause carries 25 per cent.

Mr. WALSH of Montana. Upon what consideration should the Senate disagree to the committee amendment and put the products in the basket clause if there is no difference in the rate?

Mr. SMOOT. I do not know.

Mr. WALSH of Montana. Why should the Senate have taken them out of the basket clause and put them in this particular clause when the rate is exactly the same? We went over these matters very carefully, and all of them were explained and the reasons given with respect to all of them, but it has entirely passed out of my recollection.

Mr. SMOOT. Let me call attention to this statement. It is very short indeed.

Mr. LA FOLLETTE. I will ask the Senator from Utah if the motive that prevailed upon the Senate to take that action was that they wanted to transfer these items to the free list?

Mr. SMOOT. No; I did not so understand it.

Mr. LA FOLLETTE. That may have justified the committee's action, but I am asking about what the Senate did.

Mr. SMOOT. The Senate sent it to paragraph 5 in the basket clause. There was a decision which reads as follows:

Sodium and potassium have been classified free of duty since December 4, 1928, under paragraph 1562, as "metals, unwrought."

Before this decision these products were dutiable at 25 per cent ad valorem under paragraph 5. The new rate merely restores these articles by specific mention to the same dutiable status which existed prior to the above Treasury decision.

That is what I stated before, and that is the fact in the case. The Treasury decision undid what the Congress thought they were doing by putting on a 25 per cent ad valorem duty.

Mr. WALSH of Montana. I think the actual situation is as suggested by the Senator from Wisconsin. The real purpose was to disagree to the Senate committee amendment and then to put sodium and potassium on the free list. That I think was what was in the mind of the Senate when we rejected the amendment offered by the Committee on Finance.

Mr. LA FOLLETTE. Mr. President, if the Senator from Montana will yield—

Mr. WALSH of Montana. Certainly.

Mr. LA FOLLETTE. The fact is that sodium and potassium are on the free list in the 1922 act.

Mr. SMOOT. Oh, no; they carried 25 per cent ad valorem in paragraph 5, but went on the free list by virtue of Treasury decision 43066.

Mr. LA FOLLETTE. The notation that I have is that sodium and potassium have been transferred to the free list, 1922 act, paragraph 1562.

Mr. SMOOT. By a Treasury decision. That is what it was.

Mr. WALSH of Montana. The Treasury decision is just simply a construction of the act. These commodities were not on the dutiable list by the act and off the dutiable list by a Treasury decision. The Treasury decision must have been that under the act they were on the free list.

Mr. SMOOT. The decision was as to the description under the act of 1922, and under the wording of the act the Treasury Department decided that they did not fall in paragraph 5 at 25 per cent, but did go on the free list as unwrought metals.

Mr. WALSH of Montana. Mr. President, I recall very distinctly that when we had the bill of 1922 before us the Senator from Nevada [Mr. PITTMAN] made a very stout fight to put sodium and potassium upon the free list, because they were constituents of cyanide sodium and cyanide potassium used in leaching ores.

The Treasury decision undoubtedly simply carried out the purpose of the Congress at that time to put these commodities upon the free list. I suspect that it was the same idea that operated to reject the amendment proposed by the Senate Committee on Finance, the purpose being later on, and apparently then it was overlooked, to put potassium and sodium on the free list.

Mr. SMOOT. They have no relation to sodium cyanide.

Mr. WALSH of Montana. But they are elements in the making of sodium cyanide and potassium cyanide.

Mr. SMOOT. Oh, no; they are made out of salt entirely.

The PRESIDING OFFICER (Mr. Fess in the chair). Let the Chair state that the parliamentarian suggests that the proper way to offer the amendment is as follows: After the word "potassium" in the language proposed to be stricken out insert the following:

Sodium, potassium, lithium, beryllium, and caesium.

Mr. COPELAND. Is not the proper question to be voted on whether or not we will accept the paragraph as it came from the committee?

Mr. SMOOT. The amendment that was just read by the Presiding Officer would put these commodities on the free list.

Mr. COPELAND. I move that paragraph 80 as it came to the Senate from the Finance Committee be adopted.

Mr. LA FOLLETTE. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state the point of order.

Mr. LA FOLLETTE. I make the point of order that the question is on concurring in the amendment adopted as in Committee of the Whole.

The PRESIDING OFFICER. The Senator is correct. However, that is open to amendment.

Mr. SMOOT. If we want the Senate committee amendment, then we should disagree to the action of the Senate taken as in Committee of the Whole. That would leave it as reported to the Senate, and that will carry a rate of 25 per cent ad valorem.

Mr. SMITH. Mr. President, do I understand that in Committee of the Whole we rejected the entire paragraph?

Mr. SMOOT. Yes; it went out altogether.

Mr. WALSH of Montana. The whole paragraph did not go out. The paragraph read:

Sodium and potassium, 25 per cent ad valorem.

The Senate Finance Committee moved to strike out "sodium and potassium" and insert "sodium, potassium, lithium, beryllium, and caesium, 25 per cent ad valorem," and that amendment was rejected, so that the paragraph stands as it came from the House, namely, "sodium and potassium, 25 per cent ad valorem."

The PRESIDING OFFICER. The Chair is informed that a subsequent vote struck out sodium and potassium.

Mr. WALSH of Montana. That was another vote. The question now is upon voting on the Senate amendment, is it not?

The PRESIDING OFFICER. That is correct.

Mr. WALSH of Montana. If that action is rejected or is sustained, then the other matter will come up, will it not?

Mr. PITTMAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. PITTMAN. This paragraph comes to the Senate with "sodium and potassium" stricken out in paragraph 80. That is the way it comes, is it not?

Mr. SMITH. No; if I may answer the Senator. The point that confuses me is that we have sodium and potassium in the House text without the others. We simply struck those out and added the others to them so that the vote would include sodium and potassium.

Mr. SMOOT. Just as we do in every case similar to this. The Senator from Nevada is right in saying that we struck out sodium and potassium, and in striking them out we did it for the purpose of putting in sodium, potassium, lithium, beryllium, and caesium as one amendment. That was all.

Mr. PITTMAN. Mr. President, a parliamentary inquiry. I would rather have the Chair inform me on this question. The section reads as follows as reported to the Senate:

PAR. 80. Sodium, potassium, lithium, beryllium, and caesium, 25 per cent ad valorem.

Are we voting to sustain or reject that paragraph?

The PRESIDING OFFICER. The Chair understands from the record that the first vote was a disagreement to the Senate committee amendment, and then later the Senate struck out sodium and potassium. If the Senate will permit, the Presiding Officer will state that the parliamentarian informs the Chair that the proper amendment to be offered now is as follows: Insert, after the word "potassium," in line 22, the following: "Sodium, potassium, lithium, beryllium, and caesium." It would seem to the Chair that that is what should be done.

Mr. LA FOLLETTE. That would not be a vote upon the action in the Committee of the Whole. The action in Committee of the Whole struck out the paragraph altogether. My information is that unanimous consent was obtained to include the striking out of sodium and potassium, that they were all voted upon at the same time, and the paragraph was stricken out at the same time. There was a record vote on it. Now the question is, Shall the action taken in the Committee of the Whole be confirmed by the Senate? Any Senator who desires to secure the committee amendment as reported from the Finance Committee can obtain that result by voting "nay." Those who desire to sustain the action taken as in Committee of the Whole and to strike out this entire paragraph from the schedule may accomplish that result by voting "aye." Then, if that vote should prevail, of course an amendment would be in order to place the commodities mentioned in the paragraph upon the free list.

The PRESIDING OFFICER. The Senator from Wisconsin has made a correct statement of the parliamentary situation.

Mr. WALSH of Montana. Then, Mr. President, I merely want to appeal to Senators to sustain the action taken as in Committee of the Whole on these items, unless there is something in the nature of a representation for a new trial or a new hearing. If we are going to start in again and argue the merits of these questions from the beginning, we have lost six months' time. This subject was evidently considered carefully by the Senate as in Committee of the Whole, and there is not now time or a disposition on the part of the Senate to listen again to the whole argument that we went over as in Committee of the Whole.

The Senate, as in Committee of the whole, decided by quite a decided majority, 34 to 30, to reject the amendment reported by the Senate Finance Committee. I think that action ought to be sustained. A vote "aye," as I understand, will sustain the action taken by the Senate, as in Committee of the Whole, in rejecting the committee amendment.

Mr. COPELAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Barkley	Blaine	Brook
Ashurst	Bingham	Blease	Brookhart
Baird	Black	Borah	Broussard

Capper	Hale	McNary	Stimmons
Caraway	Harris	Metcalf	Smith
Connally	Harrison	Moses	Smoot
Copeland	Hastings	Norbeck	Stetwer
Couzens	Hatfield	Norris	Stephens
Cutting	Hawes	Nye	Sullivan
Dale	Hayden	Oddie	Swanson
Dill	Hebert	Overman	Thomas, Idaho
Fess	Heflin	Patterson	Thomas, Okla.
Fletcher	Johnson	Phipps	Trammell
Frazier	Jones	Pine	Vandenberg
George	Kean	Pittman	Wagner
Glass	Keyes	Ransdell	Walcott
Glenn	La Follette	Robinson, Ind.	Walsh, Mont.
Goldsborough	McCulloch	Schall	Waterman
Greene	McKellar	Sheppard	Watson
Grundy	McMaster	Shortridge	Wheeler

The PRESIDING OFFICER. Eighty Senators having answered to their names, a quorum is present.

Mr. BARKLEY and Mr. COPELAND addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. BARKLEY. I desire to make a very brief statement about this amendment, which seems to be involved in some confusion. Potassium and sodium have been on the free list by Treasury decision. The Treasury decided that what Congress intended to do in 1922 was to put them on the free list, and they went there. The House included potassium and sodium at a rate of 25 per cent. When the bill came to the Senate the Senate Finance Committee struck out sodium and potassium, re-wrote the paragraph, and added the three commodities which we are now considering.

Mr. SMOOT. And then the Senate, as in Committee of the Whole, struck out the whole paragraph.

Mr. BARKLEY. Yes; but I am talking about the action of the Senate Finance Committee. The three commodities referred to are not being imported into this country; they are not even being commercially manufactured in this country; they are still in the laboratory stage. They were put in the paragraph at the instance of the former Senator from New Jersey, now ambassador to France, who expressed a fear that some day in the future importations might begin to come in. That is the only basis upon which they were included in this paragraph at a rate of 25 per cent ad valorem.

Mr. NORRIS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Nebraska?

Mr. BARKLEY. I yield.

Mr. NORRIS. Can the Senator give us any information as to whether the former Senator from New Jersey, since he has gone to France as ambassador and has been laboring with the French Government not to levy high tariffs on American products, has changed his attitude on some of these questions?

Mr. BARKLEY. I have no authority to speak for the ambassador to France, but, in a general way, I understand that some impression has been made upon him and probably some dent has been made in his attitude with reference to that matter, because he is in a position now to look upon it more impartially and more with reference to our international trade relations; but I have no information as to whether he still insists that these three commodities, which are not being imported and which are only being manufactured experimentally, shall be included in the dutiable list or whether he has softened his position.

Mr. NORRIS. I wonder if the Senator can give us any idea as to whether, from the official action of the ambassador to France, formerly a Senator, in laboring with the French Government to have them abstain from levying such high duties on our products, his conduct does not rather indicate that he has seen a new light and the error of his way, and probably he would not take the course now that he took then? That might have some influence on the votes of Senators here.

Mr. BARKLEY. I think it probably would be fair to say, and I think in fact the statement is justified, now that he is an ambassador of the whole United States and not simply an ambassador from New Jersey, that his position has been somewhat liberalized on that subject.

Mr. SMOOT. Mr. President, so that the Senate may know just what these items are which are mentioned in the paragraph, and referred to by the Senator from Kentucky, and also that the Senate may know what the present situation is, I wish to call attention to the facts.

Lithium, beryllium, and caesium are metals that have only recently come into prominence due to special uses.

Mr. NORRIS. Mr. President, I did not quite understand the names the Senator read. Will he please read them again?

Mr. SMOOT. Lithium, beryllium, and caesium.

Mr. NORRIS. What is the last one?

Mr. SMOOT. Caesium.

Lithium and beryllium are used in alloys requiring great strength and lightness, as in certain airplane parts. Caesium

is used in the manufacture of incandescent lamps and radio tubes, and is being experimented with for television.

These metals are produced from their ores by complex chemical methods. The salts are first produced, from which the metals are obtained by electrochemical means. Domestic production is now on a commercial scale. Lithium is produced from domestic ore mined in South Dakota. Germany is the main European producer of these metals.

These metals are the newest thing along metallurgical lines. They are stronger than any metal we have, and they are lighter than almost any metal we have. Therefore these three metals referred to as being added to the bill were put in the bill because of the fact that they were not known; they did not exist at the time of the enactment of the last tariff act. In this country we are now prepared to make these new metals; they have passed beyond the experimental stage; and they should be included either in the basket clause at 25 per cent or they should be specifically named in the provision now under consideration. I think it is very much better that they should be named, so that in the statistical reports which are published they may be included, and we may know just what the importations are, what the cost of production is, and all other details. When, however, they fall in the basket clause such statistics are not obtained, and we do not get the information.

I think, Mr. President, that the Senate ought to refuse to concur in the amendment.

Mr. BARKLEY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Kentucky?

Mr. SMOOT. Yes; I yield.

Mr. BARKLEY. The Senator does not claim that any of these products are being imported into this country now, does he?

Mr. SMOOT. There is hardly any of them in the world, with the exception of Germany. Germany and the United States are the only countries that are making any of these products. We are preparing now to make them and so is Germany.

Mr. BARKLEY. Of course, Germany is making them; but she is not exporting any of them to the United States, and we are producing about 5,000 tons a year.

Mr. SMOOT. It is too early to tell about that yet. They are just beginning to export them to this country now.

Mr. BARKLEY. That is the whole trouble. On all of these articles of which there are no importations now, to justify an increase in the tariff it is said that other countries are just about to begin importations.

Mr. SMOOT. That has not anything to do with these products. They were never known in the world until a few months ago. It was not known what they were.

Mr. SMITH. Does the Senator want to shut them off in their infancy?

Mr. SMOOT. No; I do not want to shut them off in their infancy.

Mr. COPELAND. Mr. President, I apologize for having precipitated this debate. The matter was called to my attention. Here we have some substances that are used largely as chemical reagents, laboratory products except sodium, which is used at this particular time in making dyestuffs.

The PRESIDING OFFICER. The Chair will have to state to the Senator from New York that under the unanimous-consent agreement the Senator, having spoken once, is not entitled to speak a second time.

Mr. COPELAND. Of course, I have not spoken on the subject, because I simply presented the matter. However, I am perfectly willing to yield the floor, under the ruling of the Chair.

Mr. WALSH of Montana. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. WALSH of Montana. When the bill came into the Senate the question was, Will the Senate concur in the amendments made as in Committee of the Whole, save those with respect to which a separate vote was reserved? The question was, Will the Senate concur or not? and the vote was that the Senate would concur.

Is the question now before the Senate, Will the Senate concur in the action taken in Committee of the Whole? If so, I want to vote "yea." Or is the question as it was presented to the Committee of the Whole, the question of agreeing to the Senate committee amendment? If so, I want to vote "nay."

The PRESIDING OFFICER. The question before the Senate is, Will the Senate concur in the amendment made as in Committee of the Whole? The amendment was to strike out these two lines.

Mr. WALSH of Montana. Then I desire to say, Mr. President, that the vote before was 38 nays and 34 yeas; and those

who voted "nay" before will now vote "yea," if they have not changed their minds.

The PRESIDING OFFICER. Those in favor of concurring in the amendment made as in Committee of the Whole will say "aye." Those opposed will say "no." [Putting the question.] The yeas seem to have it.

Mr. BARKLEY. I call for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. McKELLAR (when his name was called). On this question I have a pair with the junior Senator from Delaware [Mr. TOWNSEND], who is absent. I transfer that pair to the junior Senator from Massachusetts [Mr. WALSH] and will vote. I vote "yea."

Mr. METCALF (when his name was called). I have a general pair with the Senator from Maryland [Mr. TYDINGS], and therefore withhold my vote. If at liberty to vote, I would vote "nay."

Mr. THOMAS of Oklahoma (when his name was called). I have a pair with the senior Senator from West Virginia [Mr. GOFF]. Not knowing how he would vote on this question, I withhold my vote. If at liberty to vote, I should vote "yea."

The roll call was concluded.

Mr. MOSES. I have a general pair with the senior Senator from Iowa [Mr. STECK]. In his absence I withhold my vote.

Mr. SIMMONS. I have a general pair with the senior Senator from Massachusetts [Mr. GILLET]. I transfer that pair to the senior Senator from Missouri [Mr. HAWES] and will vote. I vote "yea."

Mr. HASTINGS. I transfer my pair with the senior Senator from New Mexico [Mr. BRATTON] to the junior Senator from Kentucky [Mr. ROBINSON] and will vote. I vote "nay."

Mr. FESS. I desire to announce the following general pairs:

The Senator from Illinois [Mr. DENEEN] with the Senator from North Carolina [Mr. OVERMAN];

The Senator from Pennsylvania [Mr. REED] with the Senator from Arkansas [Mr. ROBINSON];

The Senator from Maine [Mr. GOULD] with the Senator from Utah [Mr. KING]; and

The Senator from Minnesota [Mr. SHIPSTEAD] with the Senator from Wyoming [Mr. KENDRICK].

The result was announced—yeas 36, nays 39, as follows:

YEAS—36

Ashurst	Connally	Harrison	Schall
Barkley	Couzens	Hayden	Sheppard
Black	Cutting	Heflin	Simmons
Blaine	Dill	Johnson	Smith
Bleas	Fletcher	Jones	Stephens
Borah	Frazier	La Follette	Swanson
Brock	George	McKellar	Trammell
Brookhart	Glass	Norris	Walsh, Mont.
Caraway	Harris	Nye	Wheeler

NAYS—39

Allen	Greene	McNary	Smoot
Baird	Grundey	Norbeck	Steiwer
Bingham	Hale	Oddie	Sullivan
Broussard	Hastings	Patterson	Thomas, Idaho
Capper	Hatfield	Phipps	Vandenberg
Copeland	Hebert	Pine	Wagner
Dale	Kean	Pittman	Walcott
Fess	Keyes	Ransdell	Waterman
Glenn	McCulloch	Robinson, Ind.	Watson
Goldsborough	McMaster	Shortridge	

NOT VOTING—21

Bratton	Howell	Reed	Townsend
Deneen	Kendrick	Robinson, Ark.	Tydings
Gillett	King	Robison, Ky.	Walsh, Mass.
Goff	Metcalf	Shipstead	
Gould	Moses	Steck	
Hawes	Overman	Thomas, Okla.	

So the amendment made as in Committee of the Whole was nonconcurrent in.

Mr. LA FOLLETTE. Mr. President, inasmuch as the amendment adopted in Committee of the Whole has been rejected, I am going to suggest that in order to carry out a classification of these laboratory experiments which have just been given a great protection by the Senate it might be just as well to give them a separate definition or classification, so that if we ever survive this revision and revise the tariff again, we may know just exactly what the imports and the production have been. Therefore it seems to me that it would be wise for the Senator from Utah to suggest a committee amendment and have it go in the bill.

Mr. SMOOT. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. Without objection, the amendment will be received and stated.

The LEGISLATIVE CLERK. On page 31, line 22, it is proposed to strike out the words "Sodium and potassium" and insert:

Sodium, potassium, lithium, beryllium, and caesium.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent to have inserted in the RECORD at this point the roll-call vote by which the committee amendment was rejected in Committee of the Whole. It occurred on August 31, 1929, and appears on page 5017 of the permanent edition of the CONGRESSIONAL RECORD.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

The PRESIDING OFFICER. * * *

The question is on the committee amendment. On that question the yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HAWES (when his name was called). I have a pair with the senior Senator from Kentucky [Mr. SACKETT]. Not knowing how he would vote on this question, I withhold my vote.

Mr. ROBINSON of Indiana (when his name was called). I have a general pair with the junior Senator from Mississippi [Mr. STEPHENS]. In his absence, and not knowing how he would vote, I withhold my vote.

Mr. SCHALL (when Mr. SHIPSTEAD's name was called). I desire to announce that my colleague [Mr. SHIPSTEAD] is still ill.

Mr. TYDINGS (when his name was called). On this question I have a general pair with the senior Senator from Rhode Island [Mr. METCALF], who is ill. I transfer that pair to the junior Senator from Montana [Mr. WHEELER] and will vote. I vote "nay."

The roll call was concluded.

Mr. REED (after having voted in the affirmative). I have a general pair with the Senator from New Mexico [Mr. BRATTON]. I transfer that pair to the Senator from New Jersey [Mr. KEAN] and will allow my vote to stand.

Mr. BLAINE (after having voted in the negative). I have a general pair with the junior Senator from West Virginia [Mr. HATFIELD]. I transfer that pair to my colleague the senior Senator from Wisconsin [Mr. LA FOLLETTE] and will allow my vote to stand.

Mr. GOFF. I desire to state that my colleague [Mr. HATFIELD] is detained from the Senate on official business. He is paired, I am told, with the junior Senator from Wisconsin [Mr. BLAINE].

Mr. JONES. I desire to announce the following general pairs:

The Senator from Illinois [Mr. DENEEN] with the Senator from Washington [Mr. DILL];

The Senator from Ohio [Mr. FESS] with the Senator from Texas [Mr. CONNALLY];

The Senator from Kansas [Mr. CAPPER] with the Senator from Florida [Mr. TRAMMELL];

The Senator from Indiana [Mr. WATSON] with the Senator from Arkansas [Mr. ROBINSON];

The Senator from Maryland [Mr. GOLDSBOROUGH] with the Senator from South Carolina [Mr. SMITH]; and

The Senator from Massachusetts [Mr. GILLET] with the Senator from Oklahoma [Mr. THOMAS].

I also desire to announce that the Senator from Illinois [Mr. DENEEN], the Senator from Ohio [Mr. FESS], the Senator from Kansas [Mr. CAPPER], and the Senator from New Hampshire [Mr. MOSES] are absent on the business of the Senate.

Mr. WALSH of Montana. I desire to announce that the Senator from Oklahoma [Mr. THOMAS], the Senator from South Carolina [Mr. SMITH], and my colleague the junior Senator from Montana [Mr. WHEELER], are necessarily detained on official business.

Mr. SHEPPARD. I desire to announce the necessary absence on business of the Senator from Arkansas [Mr. ROBINSON], the Senator from Florida [Mr. TRAMMELL], the Senator from Texas [Mr. CONNALLY], the Senator from New Mexico [Mr. BRATTON], and the Senator from Washington [Mr. DILL].

The result was announced—yeas 30, nays 34, as follows:

Yeas, 30: Allen, Bingham, Broussard, Copeland, Couzens, Edge, Glenn, Goff, Gould, Greene, Hale, Hastings, Hebert, Kendrick, Keyes, Oddie, Patterson, Phipps, Pittman, Ransdell, Reed, Shortridge, Smoot, Steiwer, Townsend, Vandenberg, Wagner, Walcott, Warren, and Waterman.

Nays, 34: Ashurst, Barkley, Black, Blaine, Bleas, Borah, Brock, Brookhart, Caraway, Cutting, Fletcher, Frazier, George, Glass, Harris, Harrison, Hayden, Heflin, Howell, Jones, King, McKellar, Norris, Nye, Overman, Schall, Sheppard, Simmons, Steck, Swanson, Thomas of Idaho, Tydings, Walsh of Massachusetts, and Walsh of Montana.

Not voting, 30: Bratton, Capper, Connally, Dale, Deneen, Dill, Fess, Gillett, Goldsborough, Hatfield, Hawes, Johnson, Kean, La Follette, McMaster, McNary, Metcalf, Moses, Norbeck, Pine, Robinson of Arkansas, Robinson of Indiana, Sackett, Shipstead, Smith, Stephens, Thomas of Oklahoma, Trammell, Watson, and Wheeler.

So the amendment of the committee was rejected.

Mr. LA FOLLETTE. I now ask that upon the next amendment, sodium chlorate, no Senator shall speak more than once nor longer than five minutes.

The VICE PRESIDENT. Is there objection?

Mr. STEIWER. Mr. President, I wish to offer an amendment, and may take a little longer than five minutes. I assume there will be no objection to that.

Mr. LA FOLLETTE. I ask unanimous consent, then, that no Senator shall speak more than once nor longer than 10 minutes.

The VICE PRESIDENT. Is there objection?

Mr. BLEASE. Mr. President, I have not made any speech on this bill, and I do not expect to make any, but when Senators have been here talking for months, every man talking just as long as he pleased to talk, now, when some Senators might want to say something, there is a request that debate be limited to five minutes. Some Senators here have taken up a good deal of time on this bill.

Mr. LA FOLLETTE. May I suggest to the Senator—

Mr. BLEASE. I object.

The VICE PRESIDENT. The Senator objects. The Secretary will report the next amendment.

The LEGISLATIVE CLERK. On page 32, line 8, paragraph 82, the Senate as in Committee of the Whole disagreed to the committee amendment striking out "1½ cents" and inserting "2 cents" on sodium chlorate.

Mr. STEIWER. Now, if it is in order, I want to be permitted to offer the amendment just stated by the clerk, and to say to the Senate that the action in Committee of the Whole was to restore the existing rate of 1½ cents.

Mr. BARKLEY. A parliamentary inquiry.

The VICE PRESIDENT. The Senator will state his inquiry.

Mr. BARKLEY. The Senate as in Committee of the Whole having disagreed to the committee amendment, the language having come to the Senate now from Committee of the Whole, as it is in the present law and in the bill as it passed the House, is it in order to offer an amendment from the floor until the amendments upon which reservations were made are disposed of?

The VICE PRESIDENT. Such an amendment would be in order only if offered to a committee amendment.

Mr. BARKLEY. But there is no committee amendment. The committee amendment was disagreed to as in Committee of the Whole, and the language of the bill now is as it came from the House.

Mr. SMOOT. Under our unanimous-consent agreement, having acted upon it here, it is now in order to have an amendment suggested, either to disagree to the action of the Senate or to offer an entirely new amendment.

Mr. BARKLEY. I did not understand that the Chair had ruled that a reservation could be made with reference to an amendment offered as in Committee of the Whole which was not agreed to.

The VICE PRESIDENT. No amendment comes to the Senate when a committee amendment is rejected as in Committee of the Whole, and therefore the amendment will not be in order, except by unanimous consent, until individual amendments are in order.

Mr. BARKLEY. Mr. President, I understand it was not necessary for any Senator to reserve the right to offer an amendment to this bill from the floor after the bill got into the Senate.

The VICE PRESIDENT. It is not necessary to reserve a right to offer an amendment.

Mr. BARKLEY. Why does anyone obtain any special right by reserving the right to have a vote if he could get it anyway?

The VICE PRESIDENT. A Senator has not obtained any special right by reserving a vote, and that was stated by the Chair several times.

Mr. BARKLEY. I thought our procedure was to dispose of the amendments which were reported from the Committee of the Whole, and then that Senators could offer amendments to the bill as they might desire.

The VICE PRESIDENT. That was the understanding, but the Chair understood the chairman of the Committee on Finance to state that there was no objection to taking up this amendment.

Mr. SMOOT. The order was to take the amendments up as provided for in the list which has been compiled.

Mr. BARKLEY. I understand that, but that was as to amendments reported to the Senate from the Committee of the Whole to concur in them or reject them. It was not my understanding that anybody either had or could obtain any right by reserving the right to offer an amendment independently on the

floor of the Senate. What I have been contending is that we ought to dispose of the amendments that were agreed to in the Committee of the Whole, and then any Senator could offer any amendment he saw fit to offer.

The VICE PRESIDENT. Is there objection to considering this amendment at this time? The Chair hears none, and the Secretary will report the amendment.

The LEGISLATIVE CLERK. The Senator from Oregon offers the following amendment: On page 32, line 8, to strike out "chlorate, 1½ cents per pound," and on page 268, line 23, before the word "sulphate," to insert the word "chlorate" and a comma.

Mr. STEIWER. Mr. President, as obviously appears, the purpose of the amendment is to restore this item to the free list. It presents rather an exceptional situation. The existing duty, under the present law, of 1½ cents resulted in a production which at one time was fairly adequate. It was stated in the hearings that it was 60 per cent of the consumptive requirements of the country.

New uses have been found for sodium chlorate, so that the use has increased to a very remarkable degree. The production in this country is no longer 60 per cent, but by a gradual lessening process I am advised that it is now about 10 per cent of the requirements of this country, and that at the present rate of increase of use it will not be more than 2 or 3 or 4 years before our production will be as low as 5 per cent of the use.

The main use for this article is in the killing of certain noxious weeds, morning-glory, quack grass, and other weeds. Within the last two or three years certain experiments conducted by the Kansas Agricultural College, and through the Department of Agriculture generally, have extended the use of this article so that it now is mostly highly esteemed by scientists and by farmers all over the United States.

The records of importations as set forth in the Summary of Tariff Information support the statement substantially as I am now making, and it brings to the Senate this kind of a situation.

The farmers of the United States in almost all of the States, in the use of this material, find themselves taxed at the rate of 1½ cents per pound without any substantial increase in production. There is only one plant producing this material in the United States, and the representatives of that concern appeared before the committees of the House and of the Senate at the time of the hearings on the revision of the tariff and testified that they needed 2½ cents so that their business might endure. They have not been given 2½ cents, so it is most unlikely in any case that they will be able to compete successfully with foreign competition. But whether they are or not, the fact will remain that the farmers of the United States are paying tribute to this little industry which does not hire as many as a hundred men. The agronomist of the State college of my State has informed me that there are 50,000 acres infested by morning-glory and quack grass in our State. He has made a like estimate for Idaho and for Washington, and I am told that in the Mississippi Valley and various other places in the United States there are literally tens of thousands of acres requiring this treatment.

The applications amount to as much as 800 pounds per acre. The cost to the farmer is from \$9 to \$12 per acre for the employment of this material. The cost to many of the agricultural States will run literally into hundreds of thousands of dollars, and nearly all of the farms in all of the States of the Union are paying tribute to one little industry which can not, according to its own statement, expand its production.

I shall not take time to read in detail what was said in respect to this matter, but I want to call attention to the hearings before the subcommittee of the Committee on Finance, at page 312, where the manufacturer said:

We are the only manufacturers of chlorate remaining in the country. It has been increasingly difficult for us to continue the manufacture over the last few years, and the only excuse I have for adding anything to what was put before the House committee is that since then the conditions which have enabled us to continue under these difficulties have very much intensified.

My colleague [Mr. McNARY] inquires the location of the industry. I should have stated that it is in New York, according to my information.

Before the House committee the representatives of the industry said:

In most of the items of cost sodium chlorate is exactly comparable to that of potassium chlorate, and we ask for an increase of duty on sodium chlorate from 1½ cents to 2½ cents per pound in order that the chlorate manufacture, in some form or other, may continue in this country.

In the same connection the same witness said:

The demand, in fact, has considerably passed the capacity of our existing plant, which for many years was adequate to take care of the demands of the country.

He also stated:

This company thus remains the only manufacturer of chlorate in this country and upon the present basis of duty it can only at best expect to continue to operate its plant at prices which return to it slightly more than its operating cost with a margin insufficient to cover proper depreciation.

Mr. President, one solution of the matter would have been to allow the increase, but the Senate, as in Committee of the Whole, has declined to do that. Having declined to do that, according to the statements of the people in this industry, they can not compete, and we now find them in position where the imports are going to be in excess of 4,000 tons, the imports plus the manufactures will be in excess of 5,000 tons, and their contribution to the total use will be increasingly less. It is now down close to 10 per cent. It will soon be down to 5 per cent, and they are levying tribute upon the farmers of the United States in the treating of these noxious weeds to the extent of from \$9 to \$12 per acre.

It seems to me this is a very exceptional case, and that the Senate ought to give consideration to this proposition of giving real farm relief to those farmers on the marginal and infected lands, who are least able to bear the additional cost.

Mr. BARKLEY. Mr. President, the present tariff on this sodium chlorate is 1½ cents a pound. That was a raise from one-half of 1 cent per pound, the rate carried in the act of 1913, which was included in the act of 1922. That figure was left by the House. The Senate committee tried to raise it to 2 cents, and the Senate, as in Committee of the Whole, rejected that amendment, leaving it at 1½ cents.

The Senator from Oregon has stated the facts with reference to sodium chlorate. In addition to its use as a killer of weeds out in the agricultural regions it is also used as a purifier of water, and it has the peculiar property of being nonpoisonous. For that reason it is used very widely now in purifying the water in bathing pools and other places which people frequent. It is also used in the manufacture of matches.

Mr. SMOOT. Not now.

Mr. BARKLEY. Yes; it is. The Tariff Commission says so.

Mr. SMOOT. In the old method they used to employ this sodium chlorate, but they do not use it any more.

Mr. BARKLEY. My information is that they still use some of it. I may be mistaken as to that.

There is so little of this product made in this country that the Tariff Commission has not been able to get any figures on it.

As was stated by the Senator from Oregon, it is manufactured by only one company in the United States. We can not supply our domestic needs. Any amount of protection given to this article, even if it were increased to 2½ cents a pound, as requested by this concern, would not guarantee that we could come within 75 per cent of supplying our own domestic needs in the United States.

This resolves itself, therefore, into a question whether we are going to allow this tax to remain on a commodity which we can not produce in sufficient quantities, which is widely used among the farmers of the United States and in other vocations of life.

I hope the Senator's amendment placing it on the free list will be agreed to.

Mr. SMOOT. Mr. President, just for the RECORD I want to say that the production of sodium chlorate in 1928 was 3,301,000 pounds.

Mr. BARKLEY. In addition to the uses which I mentioned, it is also used in the textile industry.

Mr. SMOOT. To a very limited extent.

Mr. BARKLEY. It is also used in the manufacture of coal-tar products.

Mr. SMOOT. To a very limited extent.

Mr. BARKLEY. Of course it is limited, because there is not very much of it in the world and we are bringing in about 4,000 pounds, which is not very much.

Mr. STEIWER. Tons.

Mr. BARKLEY. Is it tons?

Mr. STEIWER. Yes.

Mr. BARKLEY. Well, even 4,000 tons is not very much.

Mr. SMOOT. It is used by the millions of pounds. All the Senator said in relation to the one company is absolutely true.

In justification of the action of the committee I want to read a letter from the Secretary of War. I do not know whether the Senator noticed it or not. This letter was addressed to S. WALLACE DEMPSEY, House of Representatives, Washington, D. C., is dated March 15, 1929, and reads as follows:

MY DEAR MR. DEMPSEY: Replying further to your letter of February 6, 1929, the importance to our national defense of an adequate supply of phosphorus compounds and chlorates is appreciated and facilities for their manufacture should be maintained in this country. Whatever tariff is necessary in order to insure their maintenance should be provided. The amount of tariff which will be needed is a question to which this department has given no study and can, therefore, not answer.

Sincerely yours,

JAMES W. GOOD, Secretary of War.

Mr. PITTMAN. Mr. President, what has the Senator to say to the statement that there is no assurance that we can produce any considerable quantity of this in the United States, or not sufficient to meet the demands?

Mr. SMOOT. We could produce it if it were possible to produce as against Germany. But under the rate of 1½ cents the manufacturers will not expand the business, because of the fact that they are making hardly any money upon what they are producing. There were only some three million and odd hundred thousand pounds produced in the United States in 1929. Of course, if they had a higher rate, which the committee of the House did not give, nor did the Finance Committee give it, they could make all of it that would be consumed here, but they can not do it at the rate here given, because they can not compete against Germany.

Mr. PITTMAN. They can not compete with a 1½-cent rate?

Mr. SMOOT. No; they can not. They can live or exist as this one concern has, but all the other concerns have gone out of business.

Mr. PITTMAN. How is it possible for the one concern to live when the others can not?

Mr. SMOOT. They are the largest, and not only that, but they have the material closer at hand.

Mr. PITTMAN. Where is that one plant situated?

Mr. SMOOT. In New York.

Mr. BARKLEY. I will say to the Senator from Nevada that there has been no reduction in the price of this commodity indicating any natural depression that could be brought about. It has ranged from 5¼ cents to 6¼ cents a pound.

Mr. SMOOT. In 1923 it was 6¼ cents. From 1924 to 1927 it was 6¼ cents. Up to April, 1928, it was 6¼ cents, and then from April to October, 1928, it fell to 5¼ cents.

Mr. COPELAND. Mr. President, I am more and more amazed at the attitude of Senators toward the matter of American manufacturers. Any plea made on the floor of the Senate for farm relief immediately attracts a large number of votes. If there is distress on the farms to-day, there will be greater distress upon the farms when the manufacturers of America are put out of business. Here is this concern, and it happens that the only one left is in my State, which is able to continue its operations because of the comparatively cheap power it has at Niagara Falls. The Senator from Oregon [Mr. STEIWER], charming and sweet as he is, comes here and pleads for free chlorate so that the weeds on the farms may be destroyed. There will be more weeds on more farms if we continue this process of wiping out one after the other the manufacturers of our country or damaging them so that their production is materially decreased.

Mr. PITTMAN. Mr. President—

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Nevada?

Mr. COPELAND. I yield.

Mr. PITTMAN. I think the Senator ought to draw some distinctions. It seems to me that the only industries that are neglected are the infant industries and those engaged in the production of raw materials. That is rather a change in Republican policy. As I understood the purpose of the protective tariff is to help infant industries; but when we come to the case of an infant like this that wants to start, it is said that it is too weak to start or to exist if it does start.

I am informed that I have been led by the leaders of my group, whoever they are, to vote for the McCumber 1922 tariff rates or higher on practically every manufactured article that enjoyed protection under the 1922 act. I did not know this until recently.

The debate was so confusing at times that it was very difficult to find out exactly what the point was, especially as amendments were offered without notice or advance opportunity for study. But if that is true, and then Senators charge that there is danger of us destroying the manufacturing industries of the country, they ought to qualify such charges. There is no danger of our destroying a manufacturing industry that has enjoyed protection in the past, because they are getting the same protection or higher than that which they had under the act of 1922. The only ones that may suffer are the infant industries that are trying to start, and the raw-material industries.

Mr. WATSON. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Indiana?

Mr. PITTMAN. Certainly.

Mr. WATSON. The Senator was chairman of the committee on resolutions at the last Democratic National Convention, was he not?

Mr. PITTMAN. Yes.

Mr. WATSON. Was the statement he has just made the spirit of the plank on the tariff question which he wrote into that platform?

Mr. PITTMAN. I do not think it was the spirit of that platform either that I should follow a coalition that is going to raise or sustain the duties of the McCumber Tariff Act in toto. I think the spirit of it was that when the rates were too high in the McCumber Tariff Act—that is, when they made for monopoly or unreasonable profits—they should be reduced. I do not believe I have voted that way all the time in following my leaders, because I am now informed that we have not reduced the rates below the 1922 act as to manufactures, but have increased them in some schedules. The so-called coalition have reduced the tariff rates contained in the present House bill, for which they must be given credit.

The other theory of that platform, as I understand it, was that the measure of protection under that act should not be limited to manufactures alone, but should be extended to industries engaged in producing raw material, the same as the industries that were engaged in making the finished product; that it should apply not only to those making the finished product, but to those engaged in the intermediate processing. In other words, that section of it which provided that the benefits and burdens should be equally and equitably distributed carried the declaration that the policy heretofore existing in the making of tariffs that raw material should be on the free list was not sound, because those engaged in the production of raw material or intermediate processing are just as much engaged in an industry as the manufacturing industry engaged in the final finishing of the product.

I am complaining about the whole process of making a tariff bill as we have made it, without regard to any measure whatsoever, no logical measure except the measure that we will not go as high as the House bill and we will not go lower than the tariff act of 1922. If the tariff act of 1922 was too high on any materials, we ought to go below it. But we have not gone below it, as I understand it. We have taken that as a minimum measure of tariff on the manufacturing industries which have always enjoyed these high tariffs. Yet every time we come down to something that is a new industry, so far as tariff is concerned, something that has never been heard of before in connection with tariff, something that is an infant industry or a raw-material industry needing help, it is violently asserted in opposition that if we put a tariff on such things it will add to the cost of living. But we have not heard that when we have been adopting as a minimum the 1922 tariff provisions on manufactured articles. That is what I complain is an injustice.

If we are going to adopt a measure, and those who approved the bill have established a measure, and that measure has been that on manufactured articles we would not go below the 1922 act, there is the standard, there is the level, there is the measure. Yet those people engaged in the production not only of raw farm materials but ores, minerals, or metals, when they have tried to bring their industries somewhere near the level of the high tariff on manufactured articles, were told that it would increase the cost of living; and yet everyone knows that the tariff we have asked on raw materials or partly processed materials does not constitute over 2 or 3 per cent of the cost of the manufactured articles. It is infinitesimal in its proportion.

Why do we not have a measure? Why do we not try to equitably and justly distribute these burdens and benefits of taxation and bonuses? One would think that we had placed the manufactured articles of the country on the free list. That is what it sounds like. One would think the McCumber Tariff Act of 1922, which was condemned by Democrats and Progressives throughout the country since that time in every campaign as the most outrageous, exorbitant tax ever put upon the people of the country, had been tremendously reduced by the Senate. It has not been reduced, so I am informed. I am informed that the amendments offered here have not reduced the tariff on manufactured articles below the rates carried in the 1922 act. I have been compelled to vote for those things. I have followed my leaders. I have maintained that high standard on manufactured articles; but, having done it, having been compelled to vote to tax my people for the benefit of New England, for the benefit of New York, and for the benefit of the great manufacturing States, I am now asked to keep the products of my State on the free list, or as nearly as may be on the free list.

There is a system of bonuses under this tariff act which my people have to contribute to and which we are willing to pay. We would like a lower level, but when a level is established here and we ask you to raise us partially to that level, it is not done. That is what I am complaining about. We have complaints about the increased cost of living. We are told that the adding of a few cents to the cost of the raw materials will increase the cost of the finished article, when it means nothing in the total ultimate cost to the consumer in most cases. When I am asked to vote for a rate on manufactured articles either equal to or above the McCumber tariff rates I am reminded that I should stand by leaders and I have, in many cases blindly. I have voted for every possible help to the farmers of the country. I have voted for a tariff on wheat, and my State raises no wheat. I have voted for the debenture, and the debenture can not possibly benefit my State. I have followed almost blindly, because in most cases it was impossible to know what was going on, the leadership on both sides of the Chamber who led me to believe they were going to lower the burdens of the people of the country, and yet they have not lowered them on manufactured articles below the 1922 act, so I am informed. I believe that the natural industries of this country should exist and prosper. To this extent I will as a legislator gladly aid them with tariffs against importation produced in a country of lower wages and lower standard of living. I would not permit such industries to be injured by foreign competition. I do not believe tariffs should be used for the purpose of giving undue profits or to sustain monopolies, and where monopoly shows its head the tariff should be cut off entirely. I think that it is not only illogical but I consider it the gravest injustice to ignore certain industries of the country on the ground that they are not manufacturing industries, that they are only the producers of raw material.

I say to the Senate now that the revolt against the manufacturers of this country is due in no small degree to the selfishness and greed and the unfairness of those engaged in those industries rather than because of the question of the tariff.

I am not surprised that that greed should crop out; I am not surprised that Senators from States where that greed exists should be influenced by it, because selfishness seems to be a natural trait of character.

Talk about the measure of tariff duties in this bill! Some one has said there has been trading. Yes; I do not doubt but that there is actual trading; but, as a matter of fact, I have not been approached with regard to any trades. There is a feeling, however, in the human heart that requires no appeal by voice. When those who may be acting against their own interest, through their sympathy, support me in my efforts in behalf of a struggling industry in my State, my heart goes out to them, and I am more apt to vote with them on a doubtful question than I would otherwise.

The impulse which is moving us here prevails everywhere. I wish to say that whenever any particular industry, whether it be a manufacturing industry or an industry producing a raw product such as farming or mining assumes a selfish attitude and thinks of nothing but itself, when Senators vote against the protection of every industry that does not exist in their State, then we have chaos in legislation; and in the consideration of the pending bill we have approached and nearly reached that point. If I had adopted the principle of voting against tariff rates because the industry proposed to be protected did not exist in my State, I should have voted against practically every tariff rate contained in the bill; and I could have justified myself for doing so before the people of my State. I have not done that in this case, and never have done it, and I never will.

I have attempted, where I had the information upon which to act, to measure the tariff schedule by the degree of competition suffered by domestic industries with the cheap products exported here from abroad. I have not always been successful in doing that, of course, because I have not always had the necessary information, but I have tried not to pursue a selfish, illogical, disastrous course at any time during the consideration of the pending bill.

When Senators observe the manner of legislation here, when they observe that the chief motive which actuates Senators, without regard to party, is whether the people of their respective States produce an article or whether they buy it—and that is what appears to control in many instances—we should not be surprised that the contention that at least the first step in the making of tariff bills should be transferred to the Tariff Commission or to the President commands much support from the people of the country.

Mr. COPELAND. Mr. President, I am very much obliged to the Senator from Nevada for what he has added to my speech, in my time, but I understand the Senator is in favor of this rate?

Mr. PITTMAN. I certainly am in favor of this rate.

Mr. COPELAND. I thank the Senator.

Mr. PITTMAN. I wish to say this further: We were talking about a 60 per cent ad valorem on casein and skimmed milk a while ago. I have voted for a 60 per cent ad valorem duty on many manufactured articles during the last six months. Why should I stop at skimmed milk? An ad valorem duty of 60 per cent which I have been compelled to vote for is apparently no terrible thing in the bill.

Mr. COPELAND. Mr. President, from time to time some of us who take the position I have taken on questions affecting industrial rates have their Democracy called in question. When I answered the telegram that was sent to me by the chairman of the Democratic National Committee asking if I would support Mr. Smith in his view of the tariff, I meant what I said when I returned the answer. I do not see how any Democrat who subscribed to the platform and to the doctrine laid down therein by our standard bearer, could fail to support a manufacturing industry such as the one now in question. In his Louisville speech, Mr. Smith said:

I believe in the Democratic platform, which recognizes that the high wages and constructive policies established by Woodrow Wilson and the business prosperity resulting from them in America, coupled with the economic ruin of the rest of the world, brought about a new condition that committed the Democratic Party to a definite stand in favor of such tariff schedules as will to the very limit protect legitimate business enterprise as well as American labor from ruinous competition of foreign-made goods produced under conditions far below the American standard.

Mr. Smith further said:

No revision of any specific schedule will have the approval of the Democratic Party which in any way interferes with the American standard of living and level of wages. In other words, I say to the American workman that the Democratic Party will not do a single thing that will take from his weekly pay envelope a 5-cent piece.

If the pending amendment should prevail and the tariff be taken off this product, it will take many a nickle out of the pay envelope of many an employee at Niagara Falls in New York.

No one is asking for an increase over the rate carried in the law of 1922. There was an increase reported by the Finance Committee, but that has been disapproved, and now it is proposed to take off the tariff which is left, which is the tariff of 1922. That is not fair, and it is not just to manufacturing industries, and it does not make any difference whether there is one or whether there are a hundred organizations engaged in the business so far as the principle is concerned.

Here we have the only industry left in the United States making chlorate of sodium. The Senator from Utah read a moment ago a letter from the Secretary of War pointing out the importance, from the standpoint of the national defense, of maintaining the factory where sodium chlorate is manufactured; but because this commodity happens to be used in minor quantities by the farmers of America we must wipe out the tariff no matter what it may do to the industry. That is not fair; it is not economic good sense. We can not afford to disregard the welfare of such industries, and they must be maintained.

Mr. President, there is no use arguing about it; every Senator who has the slightest interest in it has heard the argument. The fact is that for use in the destruction of weeds chlorate of sodium is used largely by the railroads. It is not a safe product to use around a house or on a farm. If I had my way I would do away with its use where there is any possibility of contact with children or others who could ignite it and thereby suffer disaster; but because it is sometimes used upon the farm, therefore the one remaining factory producing chlorate of sodium must be destroyed.

Mr. FRAZIER. Mr. President—

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from North Dakota?

Mr. COPELAND. I yield.

Mr. FRAZIER. The railroads of the West have given up the use of chlorate, because it is too expensive. They now burn the weeds along their rights of way with an artificial burner. However, sodium chlorate is used to some extent upon the farm, for there are certain weeds that the burner will not exterminate but the chlorate will. The Senator from New York and some others want to place the burden so high upon the farmers that they can not afford to kill the weeds and so will have to abandon their farms. I want to say right here that there are more abandoned farms in the State of New York than there are chlorate factories, including the workers that are employed in those factories.

Mr. COPELAND. Mr. President, if taking the tariff off of chlorate of sodium will rejuvenate one single abandoned farm anywhere in the United States, I will vote with the Senator to remove the duty, but that contention is absurd. How much money does a farmer pay for the little chlorate of sodium which he uses?

Mr. FRAZIER. Mr. President, will the Senator yield?

Mr. COPELAND. Yes.

Mr. FRAZIER. It takes from 100 to 500 pounds per acre.

Mr. COPELAND. As much as that? I suppose it would make a difference of about 80 cents an acre, would it not?

Mr. FRAZIER. At a cent and a half a pound—

Mr. COPELAND. It would make just about 80 cents an acre.

Mr. FRAZIER. A hundred pounds at a cent and a half would cost \$1.50.

Mr. COPELAND. How many farmers use enough sodium for an acre?

Mr. FRAZIER. There are not very many, because the price is too high and they can not afford it. If the price were reduced, the farmers would use it more generally.

Mr. COPELAND. If the only competitor of foreign chlorate of soda in our country shall be destroyed, the farmers will pay ten times as much per acre as they pay at present. That is what will happen. There will be no American competition; the product will all come from abroad and then the farmers will pay what the traffic will bear. That is what will happen.

Mr. President, if it is desired to destroy another industry, go ahead. I have a letter, under date of February 17, from the president of the one remaining concern. I wish to read one paragraph from that letter:

While under the existing duty the best that I can say is that we still may have a fighting chance of staying in the manufacture under a severe handicap, any reduction in that duty would be immediately and hopelessly fatal to the continuance of this manufacture in the country. Anxious as we are to have protection sufficiently adequate to enable us to confidently proceed with its continuance and extension, we are still more anxious that no steps be taken that would be likely to lead to the immediate and complete destruction of the manufacture.

That is what they say. If Senators want to destroy the only remaining manufacturer of a product which is extremely important in time of war, if they want to be so unpatriotic as that, just because they think some farmer might buy a weed extirminator for a few cents less, let them go ahead and vote for it; but, so far as I am concerned, I do not indorse that form of farm relief. I am one eastern Senator who has consistently supported the farmers in their demand for relief; no one can dispute that; but I feel that it is just as important to maintain some manufactures in America as it is to maintain prosperity upon the farm.

Mr. BLAINE. Mr. President, suggestions have been made by Senators that they have supported increased tariff duties on farm products. With the exception of two or three paragraphs, in my opinion, the increases on farm products are nothing more than gold bricks handed to the farmer, ineffective and in many cases harmful. On the other hand, some of the same gentlemen have been helping others to pick the pockets of the farmer by the means of increased duties on those items which the farmer uses.

Mr. President, when this bill is passed in the form in which in all probability it will be written if the new coalition carries out its plans, not a single additional penny will go into the pockets of the farmers because of these tariff rates. On the other hand, the farmers' pockets will be picked of millions of dollars.

Mr. President, why shall that be done? What is the use of imposing high rates of duty upon farm products that every one knows are going to be ineffective? What the farmer needs today is a reduced cost of production, and he needs it badly.

I desire to discuss this matter for just a moment.

Take the State of Idaho: The application of sodium chlorate for the eradication of weeds, costs the farmers of Idaho \$55 per acre, according to the Chamber of Commerce of Moscow, Idaho, which has investigated this problem and has made reference to the fact that eight years of experiments have been carried on. Add to that another increase, which is pyramided by the time it gets to Idaho and Nevada and all the other States that find it necessary to use this particular chemical for the eradication of weeds, and you will increase that cost, as the Chamber of Commerce of Moscow says, \$11 an acre. That is what we are doing to the farmer unless we put this item on the free list.

I desire to say, in conclusion, that in a brief which I shall ask to have printed in the RECORD it is stated that 95 per cent of this product is purchased for the removal of weeds and the benefit of agricultural interests. Clearly, the domestic industry

is unable to supply the demand. Therefore, there ought to be an opportunity for the farmers to purchase this material, so essential for the reduction of their cost of production, at a lower cost. I hope the amendment offered by the Senator from Oregon [Mr. STEWART], placing this item upon the free list, will prevail.

I ask that there be printed in the RECORD as a part of my remarks the letter from the Moscow Chamber of Commerce, of Moscow, Idaho, dated January 28, 1928, found on page 849 of volume 1, Schedule 1 of Tariff Readjustment Hearings, 1929; also the brief of the Chipman Chemical Engineering Co., of Boundbrook, N. J.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

LETTER FROM THE MOSCOW CHAMBER OF COMMERCE, MOSCOW, IDAHO
JANUARY 28, 1928.

HON. BURTON L. FRENCH,

House of Representatives, Washington, D. C.

DEAR SIR: Recently I secured the information that there was considerable action being taken to increase the tariff on sodium chlorate. We are very much interested in this product because it is the most important means that we have at present for the eradication of perennial weeds.

After spending some eight years in experimental work upon weed control we have finally found that sodium chlorate or other earth's chlorates are the most satisfactory weed killers. This eight years of investigation has included trials of all the principal weed killers that have been put upon the market, as well as other possible promising chemicals and chemical means. We have just gotten the methods for the use of this chemical well outlined, and the use of chemical is just becoming well established in the State.

At a recent meeting of the Moscow Chamber of Commerce it was voted to furnish our Representatives and Senators complete information in regard to the use and quantity of these chemicals in Idaho. A committee was appointed to secure and furnish this information. After considerable investigation we have secured the following information which pictures the use and importance of this chemical in a correct and legitimate manner.

This past season nearly 400,000 pounds of chlorates were used for weed eradication purposes in Idaho alone. In addition the Forest Service used 10,000 pounds in an experimental way on the control of blister rust. In the Forest Service they are getting some very promising information, and chlorates are showing much promise upon the eradication of Ribes, which act as hosts for the blister rust. Undoubtedly, with the completion of experiments now under way, a much larger amount of this chemical will be used for this work in the next few years.

Our weed campaign has just recently gotten under way. This year the use of 400,000 pounds of this chemical was a big factor in putting the weed campaign upon a firm foundation. In the next few years to come the use of this chemical at present prices will enable the Idaho farmers to practically rid the State of all perennial weeds with running root stalks.

By the present duty we are able to lay down chlorate in Idaho at a cost of approximately 10 cents per pound in carload lots. Last season the average farmer used 550 pounds of chlorate per acre in the eradication of perennial weeds. Thus the cost per acre of the chemical was \$55. The cost of its application was \$13 per acre, making a total cost of eradication \$68 per acre. At this cost Idaho farmers can afford to eradicate perennial weeds on almost any land which is used for agricultural purposes in the State.

If the present duty were doubled, making, as I understand it, a tariff of 50 per cent of the price of the product instead of 25 per cent, the price of the product would be raised 2 cents per pound if it remained at the present price. This would increase the cost of eradication \$11 per acre or make the total cost, based on this year's figures, \$79 per acre. If, due to increased demand, the price of chlorate should increase, as is likely to happen within the next two or three years, our cost of eradicating perennial weeds would be still greater. This increase in cost means, for many farmers at least, that the cost of eradication will be greater than the farmer can afford to bear. It also means that marginal lands which now can be treated would be left untouched. Under that sort of condition our weed campaign, which is now so well established, could not be carried to the successful completion that now seems possible.

In the forestry work some of the species of gooseberries require as high as a 30 per cent solution. Any increase in the cost of the chemical under such conditions will practically eliminate its use for this purpose. Such a solution would require three times the chemical per unit area that is used for weed killing on agricultural land. In addition, the cost of application of the chemical is much greater in the timbered areas, which would still further add to the cost.

All of the other Western States are vitally interested in weed control, but they have not yet gotten as far along in their organization as Idaho. Due to this fact extensive weed campaigns have not yet been organized in any of the other Western States. However, it is only a

matter of a year or two before all of these States will be vitally interested in getting rid of their vast acres of perennial weeds at a minimum cost, so that any action that is taken to raise the cost of the product will affect all of the Western States in a similar way that it is now affecting Idaho. Kansas, Minnesota, Indiana, and a number of other midwestern States are also becoming actively interested in weed eradication. In practically every case chlorates are receiving the most attention as proper chemicals to use in these weed campaigns.

The intense importance of sodium chlorate is a very recent development in the United States. From a 500-ton use in 1924 it has grown to a 4,000-ton use last year, due to its use as a weed-killing agent. Undoubtedly, when weed-killing campaigns are fully established, 15,000 tons or 20,000 tons will be used per year in this country. At present I believe there is only one firm manufacturing chlorates in the United States, and I understand that the excess chlorate which they have available for weed-killing purposes amounts to only 450 tons per year. We do not believe that it is logical to double the present tariff on this product for the benefit of one firm, which only furnishes the agricultural industry scarcely enough chemical to furnish the needs of Idaho alone.

Sodium chlorate is made by means of electrical power. It requires three kilowatt hours of electricity to manufacture a pound of chlorate. It is shipped in bulk and requires little packing labor. One hundred laborers could produce and prepare for shipment all of the chlorate that will be necessary for the use of the United States. Its use, if the cost is low enough, will be general in States where perennial weeds are a problem. Thousands of farmers will be able to take advantage of the product at its present price. At higher prices its extensive use can not be highly recommended except in the case of exceptionally high-priced land.

These, in general, are the facts, at present, in regard to chlorates, as we have become familiar with them through the use of the product. We believe that it would be a distinct setback to our weed programs if any increase in duty is made. We also believe that the future of the small-seed industry of this whole western United States depends largely upon the ability of our farmers to get rid of their weeds so that they can produce weed-free seeds. There is no question in our minds that this problem is of vital interest not only to Idaho but to all other States interested in weed eradication, and especially to those who are growing small seeds as an important industry.

I will appreciate it very greatly if you will do what you can to at least keep the tariff on chlorates at the present level. We believe that if anything were to be done to the tariff that it should be removed altogether.

Respectfully submitted.

H. W. HULBERT,

Chairman Committee Appointed by Moscow Chamber of Commerce.

BRIEF OF THE CHIPMAN CHEMICAL ENGINEERING CO. (INC.), BOUND-
BROOK, N. J.

To the COMMITTEE ON WAYS AND MEANS,

House of Representatives, Washington, D. C.:

We ask a removal of the specific duty of 1½ cents.

Our reason for this recommendation is based on the fact that 95 per cent of this product is purchased for the removal of weeds and the benefit of agricultural interests. European supplies are cheaper to-day principally because of the production being sufficiently large to warrant low overhead and profits; also there is no fundamental reason why United States producers should be protected on account of labor costs.

The industrial importance of sodium chlorate is a very recent development; for example, in 1924 the use in the United States was less than 500 tons. It has grown to a 4,000-ton use since that time only because of its use as a weed-killing agent on farm land and on railroad right of way. State and governmental agencies are developing its use for noxious weed control because of its low cost, and if this cost remains the same or lower it has a potential importance of 15,000 to 20,000 tons per annum. It is doubtful if these potentialities could be reached if the cost to the farmer was increased.

The number of labor employees affected by this industry would be relatively small as its production only involves the use of electrochemical cells in the presence of salt water to convert NaCl to NaClO₂. It is shipped in bulk, and therefore it does not involve packing labor.

One hundred labor employees could produce all the sodium chlorate requirements of the United States while it may be used by 50,000 farmers. In other words, a tariff would only furnish employment for 100 men but would deplete the income of tens of thousands of farmers.

Domestic production costs, including wages, would be approximately 4 cents f. o. b. works, while foreign costs would be approximately 3½ cents. The inevitable penalty to foreign costs of freight would therefore be sufficient protection. The foreign country competition is largely based on developed volume of production due to the fact that the French and German producers are already in production on potassium chlorate, utilizing the potash deposits of Europe.

The source of imports are largely Greisheim section of I. G. in Frankfurt, Germany, and the Alais Froges and Camargue Electro Chemical plants of France. Imported quantities are available at 4½ cents c. i. f.

Atlantic ports, or 6 cents duty paid. On the other hand, domestic production, f. o. b. Niagara Falls, has sold as low as 0.0575 per pound within the last year and frequently sells at 6½ cents in small lots.

The section on sodium chlorate should include calcium and magnesium chlorate, which up to date are more or less theoretical chemicals without production but owing to their recognized value as weed-killing agencies equal to sodium chlorate, the production of these equivalents will undoubtedly take place within the year.

No equivalent is found in the cost, production, or sales conditions of potassium chlorate as this product is necessarily based on the raw material potash which the United States lacks. Also this product is more or less dependent upon the commercial importance of fireworks, certain types of explosives, and the match industry, all of which commercial subjects do not directly apply to the farmer or agricultural interests.

It has been developed by the State departments and Federal Department of Agriculture that noxious weeds are costing the farmers millions, in fact more than \$100,000,000 per year. The first practical agency for the remedy of this condition has been found within the last four years in the use of sodium, magnesium, or calcium chlorates. The cheapness or cost of utilizing these chemicals will largely effect their practical utility. It is not surprising that the new development in this chemical should call for tariff protection; on the other hand, the benefits would accrue to not more than 100 laborers and to not more than 4 or 5 industrial companies at the expense of general agricultural interests and the productive value of land which is to-day pestered with noxious weeds.

CHIPMAN CHEMICAL ENGINEERING CO. (INC.),

By R. N. CHIPMAN, President.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Oregon [Mr. STEIWER].

Mr. STEIWER. Mr. President, I send to the desk a letter written to me by the agronomist of the Oregon State Agricultural College, and ask unanimous consent that it may be read as a part of the presentation of this matter.

The VICE PRESIDENT. Is there objection to the reading of the letter? The Chair hears none.

The Chief Clerk read as follows:

OREGON STATE AGRICULTURAL COLLEGE,
SCHOOL OF AGRICULTURE AND EXPERIMENT STATION,
Corvallis, November 30, 1929.

Hon. FREDERICK STEIWER,
United States Senate.

DEAR SENATOR STEIWER: With reference to our discussion of a few days ago on the tariff on sodium chlorate, I desire to recommend that that chemical be placed on the free list. The reasons are that this chemical which is manufactured by only one firm in the United States, and whose capacity is little if any more than 0.1 of the demand, is unable to supply the material in sufficient quantities for its use in the eradication of perennial weeds. In the statement of this firm before the House committee dealing with tariff matters, they indicated their inability to expand the production at the present tariff rate. As this material is used principally in the control of perennial weeds and to some extent in the dyeing of textiles, the field of use is therefore limited. The table below illustrates the imports for consumption in the United States by years since 1922. You will note that imports have increased very rapidly in 1928 and 1929, and this is due almost entirely to the rapid expansion in the use of this chemical in weed control.

"Imports for consumption in the United States during recent years were:

Year	Tons	Value
1922	684	\$58,348
1923	666	49,352
1924	359	28,885
1925	375	26,418
1926	976	69,897
1927	764	55,237
1928	1,297	96,025
1929	3,869	240,355

"According to agencies in this and foreign countries, sodium chlorate is reported to be a most effective chemical for the eradication of weeds and other pests which either seriously affect the market value of the land or the crop yield, or both. Bindweed, St. Johnswort, khaki weed, Johnson weed, couch grass, blister rust, ribes, etc., are some of the worst of these pests which can be eradicated by the use of this chemical."

(Quoted from Bureau of Commerce Trade Reports, No. 46, November, 1929.)

It requires at least 500, and in some cases as much as 900, pounds per acre and a tariff of 1½ cents per pound, therefore, increases the farm cost by \$7.50 to as much as \$13.50 an acre. The probable average increase in cost is between \$9 and \$12 an acre.

This chemical is the most effective weed killer we have found for wild morning-glories, quack grass, Canada thistles, and a number of

other weeds. It is also used by the Forest Service in the blister rust eradication campaign. It shows considerable promise in control of poison ivy or poison oak. I am unable to give you an adequate estimate of the acreages in perennial weeds in the United States, but believe I am conservative in estimating 50,000 acres in Oregon and a similar acreage in both Washington and Idaho. I know that each of these weeds, with the possible exception of the poison oak, is distributed quite generally through most of the Northern and Western States, and doubtless there are different perennials in other sections that may respond to the use of this material. The Kansas experiment station was the pioneer in developing the sodium-chlorate method of weed eradication, and they have written to their Senators with reference to this tariff matter.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Oregon.

Mr. COPELAND. I call for the yeas and nays.

The yeas and nays were not ordered.

On a division, the amendment was agreed to.

The VICE PRESIDENT. The clerk will state the next reserved amendment.

The CHIEF CLERK. The next reserved amendment is anhydrous sodium sulphate, paragraph 82.

Mr. ASHURST. Mr. President, my colleague [Mr. HAYDEN] has an amendment to propose on this page. He has been in the Chamber all day, but has been called out for a moment. I have sent for him, and he will be here in a moment.

Mr. WALSH of Montana. Mr. President, I desire to inquire of the Senator from Oregon whether it would not be quite appropriate to ask unanimous consent now to offer an amendment putting this commodity on the free list?

Mr. STEIWER. I will say that it is all incorporated in one amendment.

The VICE PRESIDENT. By unanimous consent, they were both considered at the same time.

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent that in the consideration of this amendment no Senator shall speak more than once nor longer than five minutes.

The VICE PRESIDENT. Is there objection?

Mr. HAYDEN. Mr. President, reserving the right to object, is the Senator referring to anhydrous sodium sulphate?

Mr. LA FOLLETTE. Yes.

Mr. HAYDEN. I will say to the Senator that the matter has never been discussed in the Senate.

Mr. LA FOLLETTE. Would the Senator agree to 10 minutes?

Mr. HAYDEN. I should like to ask the Chair to direct my attention to the fact when I have spoken 10 minutes. I think I shall have finished by that time, if the Senator will consent to that.

Mr. BLEASE. Mr. President, I object to any unanimous-consent agreement limiting debate.

The VICE PRESIDENT. Objection is made.

Mr. SMOOT. Mr. President, I ask unanimous consent that at the conclusion of to-day's business the Senate recess until 11 o'clock to-morrow morning.

The VICE PRESIDENT. Is there objection?

Mr. ASHURST. Mr. President, I think I shall object to that. I think the time has come when the Senate should work until 12 o'clock at night, or else begin at 10 in the morning.

Mr. SMOOT. I think notice ought to be given if that is to be done.

Mr. ASHURST. I have no objection to recessing at 11 if we convene at 10.

Mr. SMOOT. I would not favor that this week, Mr. President. Let us go on this week as we have been going.

Mr. ASHURST. Very well.

The VICE PRESIDENT. Is there objection to the request of the Senator from Utah? The Chair hears none, and it is so ordered.

Mr. HAYDEN. Mr. President, I asked to have reserved the vote taken in Committee of the Whole reducing the rate on anhydrous sodium sulphate from \$4 to \$2 a ton. That action was taken on February 10 without my knowledge, and upon the understanding that I was no longer interested in the amendment. As a matter of fact I was very vitally interested in the matter, and I have had no opportunity to present the question to the Senate until this time.

I should like to offer an amendment to increase the rate on anhydrous sodium sulphate to \$5 a ton, on Glauber salt from \$1 to \$5 a ton, and transfer salt cake from the free list to this section in the bill by using the following language: Insert "Sulphate, crude, or crude salt cake, \$5 per ton."

And I should like to have the three amendments voted upon en bloc. That will save the time of the Senate, because otherwise I shall have to discuss this matter on at least two occasions, if not three.

The VICE PRESIDENT. That can be done by unanimous consent.

Mr. SMOOT. Mr. President, there may be some Senators who would be perfectly willing to have the rate suggested by the Senator from Arizona on one of the items named, but would object to a rate that is named on another item. The way the Senator has submitted his request, we would have to vote on all of them at once.

Mr. WALSH of Montana. Any Senator, of course, can demand a separate vote on each item.

Mr. HAYDEN. I have no desire to deprive any Senator of the right to demand a separate vote; but I should like to have a vote taken on the three items at approximately the same time, if that be possible. That is, we can vote on the first, and then the second, and then the third. The Senate can vote on them consecutively on the same occasion.

Mr. SMOOT. I have no objection to taking them up and voting on all of them in order, but not as one amendment.

Mr. HAYDEN. Then let it be done in that way.

Mr. BARKLEY. Mr. President, I desire to find out what the request is.

Mr. SMOOT. Yes; I should like to have the amendment stated again, and to have the request stated again.

Mr. HAYDEN. I offer the three amendments.

The VICE PRESIDENT. The amendments will be stated.

The CHIEF CLERK. The Senator from Arizona offers the following amendment, on page 32, line 22, after the word "anhydrous," to strike out "\$4" and insert in lieu thereof "\$5," so that it will read:

Sulphate, anhydrous, \$5 per ton.

On page 32, line 22, after the word "salt," to strike out "\$1" and insert in lieu thereof "\$5," so that it will read:

Sulphate, crystallized, or Glauber salt, \$5 per ton.

On page 32, line 23, after the word "ton," to insert the following:

Sulphate, crude, or crude salt cake, \$5 per ton.

Mr. HAYDEN. Mr. President, I will say to the Senator from Kentucky that in order to save time, I propose that the Senate consider these three items at the same time.

Mr. SMOOT. I would want a separate vote on them.

Mr. HAYDEN. There may be a separate vote on them; I am not objecting to that, but I would like to have the discussion cover the entire matter and get through with it.

Mr. BARKLEY. Does this involve the question of unanimous consent to offer an amendment that does not pertain to an amendment already agreed to as in Committee of the Whole and reported to the Senate?

Mr. HAYDEN. One of the three items—anhydrous sodium sulphate—was voted on as in Committee of the Whole, and I have reserved a separate vote on that.

Mr. BARKLEY. That was where the Senate, as in Committee of the Whole, reduced the rate from \$4 to \$2?

Mr. HAYDEN. Yes. These being kindred chemicals—that is, first, salt cake in the crude form; second, Glauber salts; and, third, anhydrous sodium sulphate. All of them should carry the same rate of \$5 per ton.

Mr. SMOOT. The Senator proposes to raise Glauber salts from \$1 to \$5 a ton?

Mr. HAYDEN. Yes.

Mr. SMOOT. Sulphate, anhydrous, from \$2 to \$5?

Mr. HAYDEN. And that salt cake shall be taken from the free list and made dutiable at \$5.

Mr. BARKLEY. There was an amendment, on line 22, at the end of the line, where "\$4" was changed to "\$2."

The VICE PRESIDENT. That amendment is in order.

Mr. BARKLEY. I suppose the question would be on agreeing to the Senate committee amendment with an amendment.

Mr. HAYDEN. That is correct.

Mr. BARKLEY. Changing it from \$2 to \$5, and that would be in order, but the other two amendments are not in order without unanimous consent.

Mr. ASHURST. Mr. President, I hope that doctrine will not prevail. My colleague has a right to offer any amendment to the text of this bill.

Mr. BARKLEY. That is true, Mr. President; but not now.

Mr. HAYDEN. I agree that the Senator from Kentucky is correct, but I suggest that we will save the time of the Senate in taking the entire matter up in this manner.

Mr. BARKLEY. I shall not object to that; but I think from now on we ought to limit ourselves to the consideration of amendments made as in Committee of the Whole. We will have ample opportunity to offer all the amendments we want to offer to the text of the bill after we have concluded the consideration of the amendments agreed to as in Committee of the Whole.

The VICE PRESIDENT. Is there objection to the request of the Senator from Arizona? The Chair hears none, and the Senator from Arizona is recognized.

Mr. HAYDEN. Mr. President, sodium sulphate, the subject under discussion, occurs in commerce in three forms—as Glauber salt, a crystalline solid containing 55 per cent water of crystallization; anhydrous sodium sulphate, a white amorphous powder containing no water of crystallization; and salt cake, a crude form of anhydrous sodium sulphate.

The principal use of these three chemicals is in the manufacture of kraft paper. That is what is commonly called brown paper or wrapping paper, and paper bags ordinarily used in grocery stores.

The opposition to the imposition of this duty of \$5 a ton, which has been asked by the producers of salt cake and of Glauber salt and of the anhydrous sodium sulphate in the United States comes exclusively from the manufacturers of kraft paper.

I want to point out to the Senate that on page 198, paragraph 1409, of the pending tariff bill, wrapping paper not specially provided for carries a rate of 30 per cent ad valorem. That is kraft paper. Paper bags on page 192 carry a rate of 5 cents per pound, or \$100 per ton, and 15 per cent ad valorem. So that the highest kind of protection conceivably possible for articles of this kind is now contained in the bill.

The production of kraft paper in the United States has greatly increased in recent years, the demand for it being principally from grocery stores. The latest figures available are for 1927. There were produced in this country that year 778,990 tons of kraft paper valued at \$79,792,586. There were imported into the United States only 6,085 tons valued at \$518,877, which shows that there is a practical monopoly in the production of kraft paper in the United States, and that the present tariff rate is prohibitive. The figures that I have just quoted are taken from a table prepared by the United States Tariff Commission, which I shall insert in the RECORD.

Production and imports of kraft paper, paper bags, and pulp

	1927			
	Quantity	Value	Value per unit	Duty collected
Production:				
Wrapping paper, for bags, sulphate.	141,695	\$14,545,455	\$102.65	-----
Kraft, northern and Pacific coast.	394,913	43,454,493	112.54	-----
Kraft, southern.	242,382	21,792,638	89.91	-----
Total (sulphate and kraft)	778,990	79,792,586	102.43	-----
Paper bags (total—kraft not shown separately)		69,612,287		-----
Pulp, sulphate—bleached and unbleached	593,955	28,133,175	47.37	-----
Imports: Kraft wrapping paper	6,085	518,877	85.27	\$155,663
Pulp, sulphate—				
Unbleached (kraft)	382,113	20,686,688	54.01	Free.
Bleached	12,084	708,712	58.65	Free.
Total sulphate	394,197	21,395,400	54.28	Free.

It will be observed that there were no paper bags imported, although bags to the value of \$69,612,287 were produced. This was for the very good reason that nobody could afford to pay \$100 a ton and 20 per cent ad valorem.

The effect of this high tariff rate, based upon the American production, is as follows: The average selling price of kraft paper in 1927 was \$102.43 per ton in a market protected by a 30 per cent ad valorem tariff. This represents protection averaging \$23.64 per ton on a total production of 778,000 tons, which means that the kraft-paper industry was given protection to the extent of over \$18,500,000 in that year. The amount of protection is greater this year because the production is greater. Yet the kraft-paper industry, enjoying a protection amounting to over \$18,000,000 a year, is unwilling to allow a tariff rate of \$5 a ton on salt cake or on Glauber salt or on anhydrous sodium sulphate, the effect of which would be to add \$1 a ton to their cost, because it takes 1 ton of salt cake to make 5 tons of kraft paper.

That is all there is to this case. There is no other objection to this duty. No one in opposition appeared before the Ways and Means Committee of the House of Representatives or before the Finance Committee of the Senate except from the kraft-paper industry, which enjoys an embargo tariff, which has profited immensely under that tariff, and absolutely controls the American market, the foreign importations being negligible. To maintain an American industry the production of natural salt cake in the United States, which has been destroyed by Ger-

man competition, they are unwilling to allow an import duty of \$5 a ton.

This kraft-paper industry was built up in the United States from a comparatively small production 10 years ago, when they had to pay \$21 a ton, on the average, for their salt cake. Germany in the last three or four years has been producing salt cake as a by-product of the manufacture of hydrochloric acid. That production is in the hands of a German trust, or cartel. They have dumped their salt cake in the United States, with the result that the price has gone down from an average of \$21 a ton prior to 1923 until last year it was about \$10 a ton. The following table prepared by the United States Tariff Commission shows the range of prices in recent years:

Month	1923	1924	1925	1926	1927	1928
January.....	\$25	\$22	\$18	\$20	\$20	\$17
April.....	25	23	20	20	18	17
July.....	25	17	18	20	18	10
October.....	24	18	20	20	18	10

The statistics of imports of salt cake follow:

Calendar year	Rate of duty	Quantity	Value	Value per ton
		<i>Long tons</i>		
1922.....	Free.....	638	\$8,537	\$13.381
1923.....	do.....	4,717	84,651	17.819
1924.....	do.....	3,060	40,582	13.262
1925.....	do.....	1,708	18,176	10.642
1926.....	do.....	5,598	66,321	11.847
1927.....	do.....	9,975	100,279	10.053
1928.....	do.....	25,203	253,553	10.000
1929.....	do.....	81,815	829,793	10.140

In the West it costs about \$6.75 a ton to mine the natural deposits of salt cake. It costs about \$12 a ton to transport it to the market. So that if the price is below \$18 a ton our mines must close down, and that is exactly what has happened. There is a deposit located near Camp Verde, in the State of Arizona, containing, according to an estimate made by the Department of Mines of the University of Arizona, over 20,000,000 tons of salt cake. There are large deposits in Nevada. It is estimated that there are over 30,000,000 tons of recoverable sodium sulphate in Great Salt Lake, Utah.

Glauber salt, another form, is found extensively in Wyoming. The only way that these and other natural deposits can get into the American market with the existing railroad freight rate is through the imposition of this most modest tariff.

The producers of salt cake asked for a rate of \$10 a ton, but after carefully checking the freight rates they can successfully compete, in my judgment, with a rate of \$5 a ton, and that is what I have asked.

It is necessary, if we are going to protect salt cake with a rate of \$5 a ton, to place the same rate upon Glauber salt and upon the anhydrous sodium sulphate, because either one of those products can be substituted for salt cake.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. SMOOT. I do not quite understand the Senator's logic, because he asks for \$5 a ton on sulphate, anhydrous, then he asks for \$5 a ton on Glauber salt. Glauber salt is sulphate with 50 per cent water added to it. I can not see why the Senator would want \$5 on both those articles, when they are exactly the same thing, except that the second has 50 per cent water added.

Mr. HAYDEN. The Glauber salt contains about 55 per cent water of crystallization.

Mr. SMOOT. What I am speaking of is this, that Glauber salt is only 50 per cent of the sulphate, anhydrous. The balance of it is water.

Mr. HAYDEN. I understand that.

Mr. SMOOT. So it is very inconsistent to have \$5 on the sulphate, anhydrous, and \$5 on Glauber salt.

Mr. HAYDEN. The Senator will understand that if salt cake and Glauber salt are heated and the water taken out you have the anhydrous product, which weighs less. There might be a reason for having a higher rate on Glauber salt or a higher rate on the anhydrous than on the salt cake, but I am willing to have the same rate upon all of them, I believe that under a uniform rate the industry can exist.

Mr. SMOOT. It seems to me the proposal is very inconsistent.

Mr. BARKLEY. Really, if the rate is made \$5 on the Glauber salt, 50 per cent of which is water, it is equivalent to \$10 on the anhydrous, because you have to dehydrate the ma-

terial in order to make it into the anhydrous sodium. So that if you put \$5 a ton on both, and you have to take out half of the Glauber salt, which is water, you have to add another ton before you get a real ton of anhydrous sodium, so that it amounts to a duty of \$10.

Mr. HAYDEN. The point is this, that the Germans in making these shipments have heated the product and taken the water out. They may bring in the articles in whatever form best suits them in their commercial activities. We mine either the salt cake itself or the Glauber salt as they occur in nature. They are carried at carload rates on the railroads, and when they are brought to the paper mills they compete with the product from Germany in whatever form it appears.

Mr. SMOOT. Whatever protection is afforded will be on the anhydrous product. If it is \$5 a ton on that, certainly they would never ship in Glauber salt containing 50 per cent water. That would be out of the question entirely. It seems to me if it is necessary to have \$5 on the Glauber salt, to make it equal there should be \$10 on the anhydrous.

Mr. HAYDEN. Perhaps so, but the producers of this natural raw material say that they can successfully compete if the same rate is imposed on all three. They may get the worst of it out of that sort of tariff, but they can live, because after all it is a by-product being brought from Germany. The Germans will export it in whatever form it comes from their factories. They are not going to change the form unless the tariff varies. Then it would pay them to do it. If the tariff rate is the same, there will be no occasion for doing so.

Mr. SMOOT. If we are going to have \$5 on sulphate, anhydrous, then the Glauber salt ought to carry a rate of \$2.50. The House fixed the rate at \$4 and \$1. This is all out of comparison. If these amendments were adopted, the Germans would ship in the Glauber salt.

Mr. HAYDEN. I will admit, so far as the weight of water is concerned, that if the crude salt cake carries a rate of \$5, properly the Glauber salt should carry a rate of \$7.50 and anhydrous sodium sulphate should carry a rate of \$10. Considering only the volume of water, that would be the proper rate. But I am not asking for that. I am asking for \$5 all the way through, and if the producers are willing to accept that, I do not see why either the Senator from Kentucky or the Senator from Utah should complain, because I am not asking for a higher tariff than they think ought to be granted.

Mr. SMOOT. I am only calling the Senator's attention to the fact that I am afraid the people will think that we were very foolish in adopting the rate on sulphate, anhydrous, and the same rate on Glauber salt, when Glauber salt is exactly the same as sulphate, anhydrous, with 2 per cent of water added.

Mr. HAYDEN. The American producers have had a sad experience. The Germans will bring in anhydrous sodium sulphate and pack it up and label it "salt cake." It has been coming into the country free. They have protested to the Treasury Department and done everything they could to prevent this fraud, but the Germans simply carried it over under that label into the free list. If all three of these articles are put on the same basis, then there will be no advantage to the Germans in trying to switch from one product to the other. If we take into consideration only the water of crystallization contained in the various products, then we start out with this rate of \$5 on salt cake, \$7.50 on Glauber salt, and \$10 on anhydrous. But I am not asking for those two high rates. The American producers can get along and operate their mines with a \$5 flat rate all the way through.

Mr. BARKLEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. ALLEN in the chair). Does the Senator from Arizona yield to the Senator from Kentucky?

Mr. HAYDEN. I yield.

Mr. BARKLEY. In view of the fact that the domestic production of Glauber salt has increased from 42,000 tons in 1919 to 62,000 tons in 1927, and that the importations have decreased from 2,700 tons to about 1,300 tons, I do not understand how it is that the industry is unable to survive. I do not see any relationship in the situation which the Senator evidently has in mind.

Mr. HAYDEN. The Senator is mistaken in some of his figures.

Mr. BARKLEY. I am quoting from the Summary of Tariff Information, page 393. In 1919 we produced only 42,000 tons of Glauber salt. It has gone as high as 72,000 tons in 1925 and 62,000 tons in 1927, while our imports have fallen off until in 1928 they were less than at any time in the last 10 years.

Mr. HAYDEN. The Senator is talking about one thing and I am talking about another. What I am primarily concerned with is sodium sulphate or salt cake, and the only relation which Glauber salt bears to salt cake is that it may be used as a substitute. The Senator will find that the production of salt

cake in the United States from mines has varied from 16,000 to 23,000 short tons in recent years, whereas the German importations, which began in 1922 and were only 638 tons at that time, increased steadily until last year they amounted to 81,815 tons, valued at \$829,793.

Mr. BARKLEY. Of course the relationship between salt cake and Glauber salt is as the relation of parent and child. Glauber salt is made very largely from salt cake.

Mr. HAYDEN. Yes; exactly.

Mr. BARKLEY. So there is a relation. I do not quite see, even if there is any justification for the tariff which the Senator is advocating on salt cake, why he should carry that into the rate on Glauber salt.

Mr. HAYDEN. If we had a rate of \$5 a ton on salt cake and only \$1 a ton on Glauber salts, then all that is necessary to do is to heat the salt cake and extract one-half of the water of crystallization, and it would come in at the \$1 rate instead of the \$5 rate. If we take all of the water out, then it comes in at \$2 under the anhydrous sodium sulphate rate now contained in the bill. Inasmuch as it is simply a process of heating the raw product and extracting the water so as to transpose it first from salt cake to Glauber salt and then from Glauber salt to the anhydrous form, it seems to me the only way that Congress could properly care for the entire situation is to fix the same rate on all three products.

Mr. BARKLEY. We get Glauber salt by taking the salt cake and crystallizing it?

Mr. HAYDEN. No; by taking the water out.

Mr. BARKLEY. Then, we taken the Glauber salt and take the water out and get anhydrous sulphate. Is not that the process?

Mr. HAYDEN. Half of the water crystallization is taken out when it is in the form of Glauber salt, and all of it is taken out to get it into the anhydrous state.

Mr. BARKLEY. Yes; I understand. Does the sulphate have the water originally?

Mr. HAYDEN. Yes.

Mr. BARKLEY. Is any of the water taken out of that to make Glauber salt?

Mr. HAYDEN. Yes; about one-half of the water is taken out.

Mr. BARKLEY. Part of the water is taken out?

Mr. HAYDEN. Yes.

Mr. BARKLEY. Then it is all taken out to result in anhydrous sodium sulphate?

Mr. HAYDEN. Yes.

Mr. BARKLEY. So there are three processes by which we arrive at the dry state of this salt cake which had water in it at the start?

Mr. HAYDEN. It has 100 per cent water of crystallization at the start and 55 per cent when it becomes Glauber salt and none when it reaches the third stage.

Mr. BARKLEY. If it is 100 per cent water in the beginning and we take it all out, how do we have anything left?

Mr. HAYDEN. I was speaking of water of crystallization.

Mr. WALSH of Montana. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Arizona yield to the Senator from Montana?

Mr. HAYDEN. Certainly.

Mr. WALSH of Montana. These deposits are crustaceous deposits in lakes, are they not?

Mr. HAYDEN. Originally.

Mr. WALSH of Montana. Then the lake evaporated; so they are surface deposits and do not involve deep mining?

Mr. HAYDEN. Yes; they are mined with a steam shovel. The cost of production in my State, according to the best figures I have, is about \$6.75 a ton.

Mr. SMOOT. The fact of the matter is that it is a question of taking care of the freight in order to get them to market.

Mr. HAYDEN. That is all there is to it, but I say that the \$5 rate will equate the difference between water transportation from Germany and land transportation from our western deposits to the paper mills. The following figures will illustrate the effect of this proposed import duty:

GERMAN COMPETITION ON THE GULF COAST

A. AGAINST BY-PRODUCT SODIUM SULPHATE

Without tariff

American sodium sulphate:	
Cost of manufactured product	\$10.75
Inland freight to mills	3.80
Cost delivered to mills	\$14.55

German sodium sulphate:	
Cost of production	\$4.50
Transportation	5.08
Commission, fees, and insurance	.34
Inland freight to mills	3.80
Cost delivered to mills	\$13.72
German margin	.83

With tariff

German sodium sulphate:	
Cost delivered to mills	\$13.72
Tariff	5.00
Total cost	18.72
American sodium sulphate:	
Cost delivered to mills	14.55
American margin	4.17

B. AGAINST NATURAL SALT CAKE

Without tariff

American salt cake:	
Cost of production	\$6.75
Transportation	12.00
Cost delivered to mills	\$18.75
German sodium sulphate:	
Cost delivered to mills	13.72
German margin	5.03

With tariff

American salt cake:	
Cost delivered to mills	18.75
German sodium sulphate:	
Cost delivered to mills	\$13.72
Tariff	5.00
Total cost	18.72
German margin	.03

GERMAN COMPETITION ON PACIFIC COAST

Without tariff

American salt cake (crude):	
Cost of production	\$6.75
Transportation	7.50
Cost delivered to Pacific coast	\$14.25
German sodium sulphate:	
Cost of production	4.50
Transportation	6.46
Commission, fees, and insurance	.34
Sacking	1.90
Cost delivered to Pacific coast	13.20
German margin	1.05

With tariff

German sodium sulphate:	
Cost delivered to Pacific coast	\$13.20
Tariff	5.00
Total cost	18.20
American salt cake (crude):	
Cost delivered to Pacific coast	14.25
American margin	3.95

Mr. PITTMAN. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield to the Senator from Nevada.

Mr. PITTMAN. I should like to ask the Senator from Utah if we have adopted or if we have not adopted, as a measure of fixing tariff rates, the cost of freight, the difference in the cost of transportation by water and transportation by rail?

Mr. WALSH of Montana. It is in the flexible provision and in operating under the flexible provisions the freight rates are taken into consideration.

Mr. PITTMAN. I want to know whether or not the Senator has adopted, in the consideration of this bill which we have already passed upon, the policy of taking into consideration the freight rates from the places of production to the chief market as a factor in determining the difference in the cost of getting the foreign product to the market and the domestic product to the market. Is that true or not?

Mr. SMOOT. In some cases perhaps it is, and in others it is not. For instance, in the matter of brick and cement, that was the basis of the duty which was put upon those articles and that is all there was to it.

Mr. PITTMAN. The Senator has not directly answered my question, but I understood, whether I am right or wrong, that we have adopted as a measure which will guide the President in the raising or lowering of duties, taking into consideration in determining the cost by which the foreigner may put a commodity into the competitive market and the domestic producer may put it into the same market, the difference in the cost of transportation, water as against rail, for instance.

Mr. SMOOT. I will state to the Senator that the only items handled in that way were brick and cement and items like that.

The Senate did not give the duty that was required to equalize their transportation to the market.

Mr. PITTMAN. The reason why I brought up the question was that the Senator seemed to indicate that the Senator from Arizona was wrong in taking into consideration freight rates at all.

Mr. SMOOT. No; I did not say that.

Mr. TYDINGS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Maryland?

Mr. HAYDEN. I yield.

Mr. TYDINGS. I would like to say on that point that several reports have been sent here by the Tariff Commission as far as I know, and not on one single article have they failed to take into consideration the cost of transportation from the principal producing center to the principal consuming center, and the rate recommended by them in every case, so far as I have seen, is based upon that fact—the cost of transporting from the principal producing center to the principal consuming center.

Mr. SMOOT. They are instructed under paragraph 315 of the existing law to do that.

Mr. HAYDEN. Mr. President, let me explain to the Senator from Maryland what the situation is. The principal consuming center of salt cake, at least so far as our western products are concerned, is the Mississippi Valley paper mills. The Germans have a cost of production of \$4.50, an ocean transportation cost of \$5.08, and allowing \$3.80 for commission fees and insurance and inland freight from the coast to the mills, they can deliver to the Mississippi Valley paper mills for \$13.72. Our costs are \$6.75 at the mine in Arizona and transportation \$12, or a total of \$18.75.

There is a difference of \$5 a ton that has simply put our domestic production out of business. With a tariff of \$5 a ton the American producers would be put on a parity, and that is what I am asking. That is the sole purpose of my amendment, to equalize transportation costs.

Mr. TYDINGS. Of course, the Tariff Commission, in all the reports that have come to us, have also taken into consideration the cost of transportation, usually by water, from the principal competing external producing center and the freight rates from that point to the principal consuming center in America. They have considered that difference in freight rates locally and the difference in freight rates from the foreign standpoint in arriving at the total difference in cost of producing the commodity at home and abroad. In every one of the reports before us those figures are given by the Tariff Commission.

Mr. HAYDEN. There is no other sane or sensible way of looking at what the proper tariff rate should be unless we do take into consideration the cost of transportation.

Mr. BLACK. Mr. President, may I ask the Senator what his amendment is?

Mr. HAYDEN. My amendment is to take salt cake from the free list and fix a rate upon it of \$5 a ton, and then, in order to prevent substitution of either of the other similar commodities for salt cake, I have also fixed the rate on those two commodities at \$5 a ton, because one can be substituted for the other.

Mr. BLACK. The Senator is proposing to take it from the free list and give it a rate of \$5 a ton?

Mr. HAYDEN. Salt cake only. I will repeat, for the Senator's benefit, that my reason for doing that is because salt cake is used primarily in the manufacture of kraft paper, as it is called—that is, wrapping paper and paper bags—the demand for which is tremendously increasing in this country. Kraft paper enjoys a protective rate of 30 per cent ad valorem, equivalent to nearly \$25 a ton, and paper bags have a rate of 5 cents a pound, or \$100 a ton, and 20 per cent ad valorem. There are practically no imports. The rates on those two paper products are absolutely prohibitive. They are embargo rates, and yet the manufacturers of kraft paper are the only ones who object to the proposed rate on salt cake. They do it because they say it would add \$1 a ton to the cost of making paper which sells for over \$100 a ton and which enjoys a protection of over \$25 a ton.

Mr. BARKLEY. Mr. President, will the Senator yield—

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Kentucky?

Mr. HAYDEN. I yield.

Mr. BARKLEY. The increase which the Senator is asking is 400 per cent on Glauber's salt—from \$1 to \$5—and 150 per cent on the anhydrous sulphate. Of course, the Senator is proposing to take salt cake from the free list and give it a rate of \$5.

Mr. HAYDEN. I do not know what per cent that would be. I will leave that to the Senator from Kentucky to figure.

Mr. BARKLEY. That brings up the question whether any article which requires a 400 per cent increase in the tariff in order to enable it to exist ought to be protected at all.

Mr. HAYDEN. Let me answer the Senator by saying that the kraft-paper manufacturers built up a great industry in the United States when they paid on the average \$21 a ton for their salt cake; and now, because as the result of a by-product produced in Germany from the manufacture of hydrochloric acid which the German trust or cartel dumps in this country, the price has been cut down to nearly \$10, and it is necessary, of course, to have, as I say, at least a \$5 tariff rate to equalize that very condition and allow this form of mining to proceed in the West.

Mr. BARKLEY. Is the salt cake that comes in used for anything else?

Mr. HAYDEN. The principal use, so far as I know, is in the manufacture of kraft paper, and the only people who protested against the rate in either the House or the Senate committee hearings were the kraft-paper manufacturers; no one else appeared.

Mr. BARKLEY. Is the salt cake which is produced in the West capable of being used for ordinary edible purposes?

Mr. HAYDEN. Not at all.

Mr. BARKLEY. There is no process through which it can go that will reduce it to a table salt?

Mr. HAYDEN. It would not only be impossible but foolish to reduce it to common salt, when such salt can be obtained from salt wells or from the sea. There would be no advantage whatever in refining salt cake to obtain pure salt, if that could be done. Common salt is sodium chloride, while this is sodium sulphate. There is chlorine in one and sulphur in the other.

Mr. ODDIE. Mr. President—

Mr. HAYDEN. I yield to the Senator from Nevada.

Mr. ODDIE. I have listened with a great deal of interest to the statement made by the Senator from Arizona; I am in entire sympathy with his viewpoint on this matter, and I hope the amendment he has proposed will be adopted. Nevada has large deposits of sodium sulphate or salt cake, and we are hoping and expecting that the industry will become productive and profitable in a short time. An adequate tariff will make it so, such as is carried in this amendment.

I ask permission, Mr. President, to place in the RECORD certain letters and documents regarding the subject. One is from Hon. Clark J. Guild, of Yerington, Nev., who has spent considerable time and money in developing one of these properties. He is urging a tariff on this particular product in order that the industry may live and prosper. Another is from Mr. Harrington Belty, of Mina, Nev., advocating a duty of \$5 a ton. Another is from Mr. William H. Metson, of San Francisco, a prominent attorney there and a great authority on this question. He is much interested in the development of the industry in the western section of the country and has pointed out clearly in his letters the necessity for the proposed tariff rates. I also ask permission to place several statements giving economic data in regard to salt cake, and a letter from Mr. R. W. Coad, of Los Angeles, Calif., president of the Sodium Products Corporation.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

EIGHTH JUDICIAL DISTRICT,
Yerington, Nev., January 15, 1929.

HON. TASKER L. ODDIE, UNITED STATES SENATOR,
Senate Office Building, Washington, D. C.

MY DEAR SENATOR: When the opportunity presents itself and there is a discussion with reference to tariff rates at some future date, either by the Tariff Commission or by Congress, will you bear in mind the importance of having the tariff on sodium sulphate, Na_2SO_4 (salt cake), raised to an appreciable extent?

We are informed that there is considerable of this product shipped in from Germany, and, of course, we want to protect our own industries in this respect.

Our sodium sulphate lease from the Government on the Wabuska, Nev., lands is not as yet upon what could be termed a commercial basis. We are struggling on and have spent over \$75,000 on this property and believe some day it will make good, but we must have the protection of the protective tariff and the cooperation of the Interior Department, whom we expect will give to us the reduced terms and modify our lease in accordance with the amended land leasing act, passed by Congress before the summer adjournment, and, as you wired me, approved by the President just before Christmas.

Thanking you to give this matter your careful attention and consideration, I am with regards and best wishes

Very truly yours,

CLARK J. GUILD.

MINA, NEV., December 2, 1929.

Hon. FREDERICK B. BALZAR,
Governor of the State of Nevada,
Carson City, Nev.

DEAR SIR: We owners of sodium sulphate deposits are trying to secure a protective tariff of \$5 per ton on this material, and to have it removed from the free list where it is in the tariff law of 1922.

This protection would be of real benefit to Nevada as the State has many deposits of this material which could be marketed in Oregon and Washington where a large demand has recently developed in supplying the kraft or sulphate pulp and paper mills.

We have been unable to develop our resources or interest capital in our deposits, because of cheap German sulphate produced by labor receiving about one-third what we pay, and that is being imported in foreign ships at ballast freight rates.

The Department of Commerce gives the following imports for sodium sulphate:

Year:	Tons
1925	1,708
1926	5,598
1927	11,171
1928	28,228
1929 (estimated)	100,000

The European producers are practically all in a syndicate, according to the United States Department of Commerce, with power to allocate production and markets, fix prices and protect their own European markets from invasion. This arrangement allows them to make rates at home and in near-by markets at relatively high prices and dump their excess production over here. For instance, they sell c. i. f. Swedish ports at from \$14.64 to \$18.30 per ton in bulk and at the same time selling at \$13.50 per ton in bulk c. i. f. United States ports, which has caused the shutting down of some American firms and throttles the development of our deposits.

I would, therefore, respectfully urge that you ask our delegation in Congress to actively fight for this protection, as it means a great deal to this part of the country.

Yours very respectfully,

HARRINGTON BELTY.

BALBOA BUILDING, January 9, 1929.

Hon. TASKER L. ODDIE,
Senate Office Building, Washington, D. C.

DEAR SENATOR: In quite a number of places in Nevada there are deposits of salts.

These should be protected by tariff.

I append a memorandum giving you some data on the subject. I trust that you will use your best efforts to see that the tariff is put on to protect these goods, and that the same is clear and explicit.

I am particularly interested in the Rhodes marsh.

With best wishes, I remain, your friend,

W. H. METSON.

SODIUM SULPHATE OR SALT CAKE

Papers of recent date have carried the report that an investigation is being conducted with the idea of making necessary adjustments to the tariff of 1922.

This is of interest to us because we have taken an option on 4,400 acres at Rhodes, Mineral County, Nev., with the purpose in mind of producing the sodium sulphate (salt cake) contained therein.

We have had several chemical and mechanical engineers investigate the property carefully, and have spent considerable time going into the titles and commercial details involved.

After receiving favorable reports from our engineers and considering the markets, and having secured favorable rate adjustments from the railroads, we have come to the conclusion that with reasonable tariff protection, the property could be made a good proposition.

We are confronted with a peculiar situation regarding the tariff, and, we believe, an unjust one.

The Germans, in producing their main product—potash—from their Strassfurt deposits, are obtaining a high-grade sodium sulphate, which has a limited market abroad, and which they are offering, not only on the east and Gulf coasts, but also on the Pacific coast, at \$15.50—\$16 per short ton in sacks.

They are shipping this product as salt cake duty-free, whereas it is really anhydrous sodium sulphate, which, under the tariff, should pay \$2 per ton duty. (Par. 93, H. R. 7456, tariff act 1922.)

The distinction between salt cake and anhydrous sodium sulphate is a very narrow one, and so far has been interpreted in their favor by the customs-house officials.

Our chemists' definition is that salt cake is an impure sodium sulphate obtained as a by-product in the making of nitric and hydrochloric acids, and containing from three-fourths to 1½ per cent of acid and up to one-half per cent iron.

This salt cake has to be refined to make anhydrous sodium sulphate, which contains neither impurity to an appreciable extent.

This is the only distinction between the two products.

There are also two other grades of sodium sulphate, namely: Glauber's salt, which contains 10 parts of water (duty \$1 ton), and anhydrous Glauber's salt, which latter is the same as anhydrous sodium sulphate.

Chemically, the different forms of sodium sulphate are symbolically expressed as follows:

Salt cake: Na_2SO_4 , 96 per cent or better; acid, three-fourths, 1½ per cent (H_2SO_4 generally); NaCl and/or other impurities to balance 100 per cent.

Glauber's salt: $\text{Na}_2\text{SO}_4 \cdot 10\text{H}_2\text{O}$.

Anhydrous sodium sulphate: Na_2SO_4 , 98 per cent or better.

Anhydrous Glauber's salt: Na_2SO_4 , 98 per cent or better.

The latter two contain no acid nor any appreciable amount of iron (Fe).

The Germans are bringing in an iron and acid free sodium sulphate as salt cake, which is not a by-product of acid manufacture.

It is unquestionably anhydrous sodium sulphate, but because of the difficulty of interpretation this has been admitted free heretofore, although it should have paid a \$2 duty.

This product has, furthermore, effectively precluded developing the Rhodes deposit.

Our costs of production are as low as the German costs, but our transportation charges from Nevada are higher than the German freights from Rotterdam.

Our product will be as good as the German product.

But because theirs is a by-product they can sell it here at a price that leaves us without profit.

The Germans declare the value of the product at Rotterdam as from \$9 to \$9.30 per ton in sacks, and as far back as 1909 they exported 65,500 tons of a value of 30 marks per ton, roughly \$7.50.

In 20 years the price has increased a matter of \$1.80, and our information is that this amount or more could again be removed from the price.

When the present tariff was written the importation of salt cake was nominal, and for that reason it was not included as a dutiable chemical.

The domestic price has steadily declined, until in 1928 the price here on the coast was about \$18.50 delivered in sacks.

The Germans, with a better product, are offering salt cake at \$15.50 to \$16 delivered.

Now, salt cake (as differentiated from other sodium sulphate products) is used almost entirely in the kraft pulp and paper industry.

Kraft pulp sells for \$65 per ton and the paper wholesale for \$105 a ton, both probably subject to some fluctuation.

Approximately one-fifth ton of salt cake is used in making a ton of kraft pulp, rather less than more.

The cost per ton of pulp for German salt cake at the present price of \$15.50 delivered is therefore \$3.10.

By putting a duty of \$5 per ton on salt cake and anhydrous sodium sulphate the cost per ton of pulp would be \$4.10.

A cost of \$4.10 per ton (or an increase of only \$1) on a \$65 product is not excessive, and this is approximately the price paid before the Germans started shipping, i. e., the price for the local material, with a 5 per cent differential in favor of the German product because of its superiority added to local price—or $\$18.50 + 0.925 = \19.425 —would be \$3.885 per ton of pulp.

In addition a \$5 duty would take care of an indicated German ability to reduce their price about \$2 per ton and still allow us to compete at \$18.50 per ton, which has been the price heretofore.

Therefore we would appreciate your using your best efforts to secure the inclusion of a \$5 per ton duty on salt cake, Glauber's salt, anhydrous Glauber's salt, and anhydrous sodium sulphate.

The inclusion of all forms of sodium sulphate are necessary, because the Germans, having once gotten around the tariff because of the confusion therein, will unquestionably try to do so again by taking a \$2 tariff on anhydrous sodium sulphate instead of a \$5 tariff on salt cake.

Under the tariff act of 1922 (H. R. 7456, pars. 83, 84), practically all forms and combinations of natural sodium salt are dutiable, and, in fact, the only sodium product directly referred to as free is under paragraph 1667.

This would tend to substantiate our contention that only that sodium sulphate obtained as a by-product from acid manufacturing was intended to be duty free, for it says "sodium nitrate, sulphate, crude, or salt cake, and niter cake."

Referring you to paragraph 1619, which says, "minerals, crude, or not advanced in value or condition by refining or grinding, or by other process of manufacture, not specially provided for."

Now, this German material is:

1. Not salt cake, because it contains no acid nor iron.

2. Not crude, because it most certainly has been "advanced in value or condition by refining or grinding, or by other process of manufacture."

3. Not coming under the above two exemptions, most certainly dutiable, and is yet admitted free.

This situation is vitally interesting to us, who are attempting to develop certain of the natural salt deposits of the West, and particularly to the States of Nevada, Oregon, Arizona, New Mexico, Utah, Idaho,

Montana, and Wyoming, and perhaps some others in which these natural deposits exist in one form or another.

We therefore request relief from this situation by the inclusion of all forms of sodium sulphate in the tariff, and to the extent of \$5 per short ton, and pending this relief, to have the present tariff, not now being enforced, to apply to this product, together with such other relief as it is within your power to obtain for us.

Such action will allow us to proceed with the immediate establishment of this growing industry in Nevada, together with certain other deposits we have in mind in other States.

SAN FRANCISCO, CALIF., January 19, 1929.

Subject: Tariff on salt cake (sodium sulphate).

HON. TASKER L. ODDIE,

Senate Office Building, Washington, D. C.

DEAR SENATOR: A Mr. Robert H. Polack, representing the Niles Salt Co., of New Orleans, La., appeared before the House Ways and Means Committee on behalf of a \$5 per ton duty on salt cake about January 10, according to the United States Daily of January 11.

He has arrived at the identical decision that I have—that a tariff of at least \$5 per ton is essential to the establishment and/or maintenance of this industry.

Certain localities in the Western States are adaptable to little other development, and it seems unreasonable to me that these areas should be precluded from taking advantage of the few opportunities afforded them by nature because of high rail rates versus cheap ocean rates in German ships.

If the American standard of wages and living is to be protected, it should certainly be protected right down the line.

A \$5 tariff will only increase the cost to the consumer \$1 per pulp-ton and will at no time exceed the price he has paid in the past.

When the present tariff was passed the Germans were not competing in the local market, but now there is an increasing stream of German chemicals being brought in, in many instances taking advantage of technicalities in the tariff and evading duty, even in cases where obviously it was the intention that they pay.

Salt cake is an aggravating instance of this subterfuge.

The Germans are shipping a sodium sulphate as either salt cake or sodium sulphate, crude (over 5,000 tons came in in October), that is neither salt cake nor crude, and it is coming in duty free.

The paper people are attempting, on the one hand, to secure tariff protection for themselves, which is all right, but, on the other hand, to prevent others from getting the same measure of protection that they themselves are demanding, which is all wrong.

I therefore request that you use your best efforts to secure a \$5-a-ton duty on the following:

1. Sodium sulphate, hydrous.
2. Sodium sulphate, anhydrous.
3. Glauber's salt, hydrous.
4. Glauber's salt, anhydrous.
5. Salt cake.
6. And/or any other chemical and/or mineral containing in excess of 50 per cent sodium sulphate.

The sixth item in particular will effectively prevent their using catch names and technicalities to evade the provisions of the tariff.

In addition, I would appreciate anything you can do to assist Mr. Polack's efforts, which would be advantageous to us.

Yours very respectfully,

W. H. METSON.

BALBOA BUILDING,
January 31, 1929.

HON. TASKER L. ODDIE,

Senate Office Building, Washington, D. C.

DEAR SENATOR: I am inclosing you a memorandum with reference to sodium sulphate.

As you know, there is considerable effort being made to exploit sodium sulphate at Wabuska, Nev., and also to exploit salt, and that deposit at Fallon, and then there will be other deposits at Rhodes, Teals, at Bellville, and down in the Vegas and in the desert.

We figure it will take \$5 a ton tariff to protect these deposits against the machinations of the Germans, who are breaking into this market, since the change in the method of manufacture of nitric acid has made the brines and natural deposits valuable.

This matter is up now before the Ways and Means Committee in the House, and I wish you would take a hand in using your influence to see that a tariff is imposed.

I inclose you a memorandum on the subject.

Very truly, your friend,

W. H. METSON.

TARIFF ON SODIUM SULPHATE

There exist in various Western States quantities of sodium sulphate, either in the form of vein or brine lake deposits.

Some of these are capable of supplying the market with a superior product at a cost not to exceed the price which has ruled for domestic sulphate within the past five years.

The average price¹ paid by paper-pulp mills in bulk at producers' works is as follows:

1924	\$23.00
1925	20.50
1926	21.00
1927	19.00
1928*	15.50

Up to 1928, when the German imports first began to make themselves seriously felt, the price of salt cake averaged \$20.90 per short ton.

The principal users of sodium sulphate are the kraft paper-pulp mills, and the quotations are therefore those that apply to these large consumers.

They buy sodium sulphate as salt cake, not being themselves interested in any technical "name" distinctions that may exist between the various grades.

In 1928 the price of salt cake dropped sharply to an average of only \$15.50 per short ton.

This is the price which the Germans have been quoting on 500 to 1,000 ton lots at Atlantic, Gulf, and Pacific ports.

The principal source of German sulphate is the huge potash deposits at Stassfurt.

It is a by-product of their potash operations.

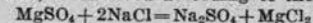
Sodium sulphate production in Germany amounts to approximately 250,000 long tons annually from 70 plants, of which about 100,000 tons is exported (1926).

These plants are practically all in a huge German combine or trust known as Sulfat-Syndikat, which is of broad powers, allocating production, fixing prices, etc.

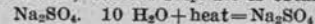
This Strassfurt sodium sulphate is manufactured from complex salts known as carnalite and kieserite.

From carnalite and kieserite are obtained magnesium sulphate (Mg SO₄) and sodium chloride (NaCl).

From magnesium sulphate and sodium chloride, which are placed in solution (or made into a liquor) and subjected to a low temperature (freezing process), hydrous sodium sulphate (Na₂ SO₄ · 10 H₂O) also known as Glauber salt, is obtained according to the following reaction:



This hydrous (10 parts water) sodium sulphate known as Glauber salt is taken and dehydrated (evaporated) artificially, and, of course, anhydrous (without water) sodium sulphate is obtained, as follows:



In other words, the water only is taken (by artificial application of heat) from hydrous sodium sulphate or Glauber salt to make the German sodium sulphate, which they are shipping here, not as anhydrous sodium sulphate which is correct, but as salt cake and/or sodium sulphate, crude, which is incorrect.

Under our tariff of 1922 (H. R. 7456), paragraph 83, we find that hydrous sodium sulphate (Glauber's salt) carries a \$1 per ton (2,000 pounds) duty.

Anhydrous sodium sulphate carries a \$2 per ton duty.

Under paragraph 1667 of the above tariff act we find that "sodium sulphate, crude, or salt cake" is to be admitted without duty.

Witness what happens.

The Germans manufacture hydrous sodium sulphate (Glauber's salt) duty \$1 per ton.

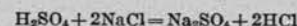
They dehydrate by artificial means this hydrous sodium sulphate, and, naturally, the resulting product is anhydrous sodium sulphate.

Then, by merely changing the name of this product to salt cake or sodium sulphate, crude, they get this material in under said paragraph 1667, duty free.

This is a remarkable piece of tariff identification.

Salt cakes' derivation is clearly indicated by the name itself.

It is the product resulting from the manufacture of hydrochloric acid by the following reaction of sulphuric acid on common salt (sodium chloride):



The sodium sulphate (salt cake) resulting always contains acid until processed or refined. It also contains other impurities, generally salt (sodium chloride).

The German material sold here contains no acid.

Sodium sulphate, crude, is the natural sodium sulphate as found in nature in brine lakes or veins, as at Clarksburg, Ariz., Wabuska, Nev., and elsewhere.

The German material shipped in as "crude" does not occur as a natural, native, or crude sodium sulphate in any of their products.

It is a manufactured product pure and simple, and necessitates at least three distinct steps to obtain.

The tariff act of 1922 (H. R. 7456), paragraph 1619, gives a definition of what constitutes a "crude" mineral.

¹ Oil, Paint, and Drug Reporter, weekly for five years.

² 8 months.

Said paragraph says: "Minerals, crude, or not advanced in value or condition by refining or grinding, or by other process of manufacture, not specially provided for."

How can German sodium sulphate, all of which is processed, enter duty free as "crude"?

It is vital to the establishment and/or maintenance of the American chemical industry to give each branch thereof adequate protection against the huge European combinations formed and the still larger being formed. They have powers to limit production, fix prices, and/or control the situation as best suits themselves.

We have not.

We know that this German sulphate combine is largely controlled by the cheapest producer.

We know that German production conditions permit its syndicate to sell the American market, and even our west coast, in competition with California producers.

This "Syndikat" is using subterfuge to evade our tariff and is dumping here as well.

This German sulphate was being sold in Germany for, roughly, \$15, while export declarations necessary for imports into the United States place a value on it of \$9 to \$9.30 per ton.

While the Germans are selling their own market at \$15 per ton they are landing it in the Pacific Northwest at \$15.50 to \$16 per ton, after paying \$6 to \$8 freight from Rotterdam.

This demonstrates that the Germans are, indeed, "dumping" with a vengeance.

This situation is further emphasized when we consider that if loss is sustained it would be carried by the syndicate, and met by all members who can be presumed to be profiting comfortably on domestic (German) sales at around \$14 to \$15 per ton, coupled with export sales to neighboring markets.

It is these sorts of cut-throat acts that the independent American producer is competing against.

Undoubtedly as soon as the Germans have firm control of the American market, we can expect higher prices to make up for the cost of driving out the local producers.

It would be wise to prevent this eventuality.

A tariff of \$5 a ton (an increase of only \$3) would barely raise the price of German sulphate (\$15.50 to \$16 per ton) back to the original cost to the paper pulp mills of \$20.50 to \$21.

If the Germans drop their price (as their export declarations in the past would lead one to believe they can do) \$2 per ton, the cost to the consuming mills would be (on the coast) \$18.50.

At the greatest, increasing the tariff from \$2 per ton to \$5 per ton would only increase the cost per ton of pulp 60 cents.

Kraft pulp sells at the mill for \$50 to \$65 per ton, and the total cost of sodium sulphate that enters into the production of a ton of such pulp (about one-fifth ton, and assuming that such sodium sulphate cost the mill \$25 per ton) would therefore be only \$5.

On the Pacific coast the cost would probably be under \$4 per ton of pulp.

To avoid further German evasion the new tariff should make the following grades of sodium sulphate dutiable to the extent of at least \$5 per ton:

1. Salt cake.
2. Anhydrous sodium sulphate.
3. Anhydrous Glauber's salt.
4. Sodium sulphate, crude.
5. And/or any chemical, mineral, metal, material, and/or mixture containing 50 per cent or more sodium sulphate.

The following grades of sodium sulphate should be made dutiable to the extent of at least \$2.50 per ton:

1. Glauber's salt.
2. Hydrous sodium sulphate.
3. And/or any chemical, mineral, metal, material, and/or mixture containing more than 25 per cent but less than 50 per cent sodium sulphate.

This tariff schedule on sodium sulphate and/or its compounds and/or mixtures will barely enable domestic producers to get the price that in the past has been obtained, and at the same time put no burden on the consumer that has not in the past existed.

It is for the consumers' ultimate protection as well as the producers'.

In fact it is a vital necessity to both American labor and American manufacturers that they be protected against this type of competition.

BALBOA BUILDING, June 13, 1929.

HON. TASKER L. ODDIE,

Senate Office Building, Washington, D. C.

DEAR SENATOR: I have written some letters on the sodium sulphate matter, trying to get before the members of the Finance Committee, from me direct, some of my ideas.

I inclose you copy of letter written to Senator Smoot.

The Ways and Means Committee raised the rate on anhydrous sodium sulphate from \$2 to \$4 on the report of the committee.

That was under section 83.

The Germans had been importing into America anhydrous sodium sulphate pure under section 1667 (now 1767) as free, under the guise of salt cake.

The commercial salt cake is a by-product from the mixing of sulphuric acid and sodium chloride (common salt) together and thus getting hydrochloric acid, and salt cake.

This salt cake always has impurities in it consisting of part of the remaining acid that was mixed with it, and also some of the salt, and is therefore not so desirable as pure anhydrous sodium sulphate.

This salt cake, however, contains about 95 to 98 per cent of sodium sulphate.

The Germans took advantage of this, and by first shipping in some salt cake, i. e., that which was made in producing hydrochloric acid, got the entry through the customhouse and after that they have been shipping a manufactured article which has been about 98 per cent pure.

This was made from the Stassfurt salts.

The Germans had been working on Stassfurt salts for years for potash and had been discharging the material, after the potash was discharged, into the German rivers, thus polluting them, and inasmuch as the potash industry was increasing tremendously, the tonnage growing greater, something had to be done. Their chemists got busy and finally worked out a method of utilizing this waste, which consisted largely of magnesium sulphate, and they found that by mixing the liquor containing magnesium sulphate with a liquor containing common salt and then reducing the temperature of the mixture by the so-called freezing process the sulphate would be released from the magnesium and the chloride from the sodium and then the sodium and sulphate would mix, making sodium sulphate.

The operation had been in large volume, to keep the waste out of the rivers, and they had to have a market for it. They came over here with their product and have driven the natural producers out of the market.

The Ways and Means Committee at the last moment were stampeded by a brief and telegrams initiating from the German brokers in San Francisco. This brief was distributed by Wilson & Geo. Meyer & Co., of San Francisco. They represent the German trust. They got some paper companies to sign the brief, but they wrote it and distributed it.

It was very cleverly worded and gave the impression that the paper and pulp business would be ruined without the German product and that the pulp and paper people were paying more for sodium sulphate to the Germans than was quoted by American producers. This brief said that the present price of sodium sulphate was \$17.95, and that they should add another dollar for handling charges, which would make it about \$19.

This trick and device got by.

What these brokers really did was to sign up the paper-pulp people who used sodium sulphate, and the brokers gave these consumers of sodium sulphate a \$13.50 rate (bulk).

The contracts were for two years—1929 and 1930. But in the contract is a clause allowing the American consumers—the paper and pulp people—to cancel the contract. This was for the purpose of protecting them against a raise in rates.

As soon as all the market was taken and all the business done, then the Germans quoted this \$17.95 rate. Of course there were no purchasers, because they had already made their contracts, but it gave them the opportunity to say to Congress that that was the rate.

Why the Ways and Means Committee should fall for the trick of the German broker I do not know.

Why the paper people would conspire with the brokers to receive pure sodium sulphate anhydrous as salt cake I do not know.

But one trick is worthy of the other, and it is up to you people to protect American industry and your own home State product or else "bend the knee" to Germany.

This German brief attempts to give the idea that the German product is necessary to the paper mills in this country; that the Americans can not produce it.

This is a deliberate lie. The producers have been shut down by the reduction in price. They can produce ten times more than can be consumed.

Germany has been the great producer of sodium sulphate.

During the World War it could not supply the demand.

Who did?

America.

America shipped sodium sulphate to Sweden, which is a great pulp producer.

When Germany was again shattered by internecine strife, who supplied the world?

America.

But America can not do it unless it is protected. If we get into a war, I presume we could use sulphate from Germany—not.

We should prepare for contingencies and make our whole country a self-contained nation.

You would think that the kraft-paper people who have prospered under protection, have prospered more than they should at the expense of the Nation (because the tariff is giving them about \$16,000,000

a year protection), that they would be willing to protect their own home industries to a small extent.

The tariff protection for kraft paper bags that are made from this pulp is \$100 per ton, with 20 per cent ad valorem besides. Some protection!

There is used 400 pounds of sodium sulphate to each ton of kraft pulp. A tariff of \$5 a ton would mean \$1 a ton on pulp, and that would not increase the cost of paper to that extent. If the paper is protected to the extent of \$26 a ton and bags to the extent of one hundred and odd dollars a ton, you would think they would be willing to concede a dollar a ton as against paper to help the sodium-sulphate business.

But, as I said before, it is not the paper companies so much as these German agents who seem to have the paper people under their control, and I presume they do it by giving them a concession in violation of law and then threaten to expose them to customs authorities unless they stand in.

One would think that the Ways and Means Committee would observe the wrecking of sulphate costs and therefore not consider such a brief as was written by Wilson & Geo. Meyer & Co.; that is, consider the source.

How the brief could have appealed to the committee I do not see, because the fact is that the price was wrecked. How was it wrecked? It was their business. It was demonstrated that the wrecking came by German importations, which increased over 600 per cent between 1925 and 1929.

The fact is that America can supply, and the Nevada producers are entirely willing to supply, salt cake at \$17 and \$18 a ton, delivered, while the price paid by these paper companies has been \$21 a ton, plus freight, during the time that they have been building and making such tremendous profits.

For instance, one of these pulp mills last year made \$26 a share on its common stock, and that was \$26 a share on \$82 a share invested in the business, or a matter of about 32 per cent in one year on the common stock. And yet the people object to somebody else making a living.

I trust that you will take this matter up with Senator SMOOT and with Senator SHORTRIDGE and with Senator EDGE, and that you will make clear to them the necessities of protecting our own industries, and you know we have but a very few of them out here on the Pacific coast.

With best wishes, I remain, your friend,

W. H. METSON.

BALBOA BUILDING, June 11, 1929.

HON. REED SMOOT,

Senate Office Building, Washington, D. C.

DEAR SENATOR: Following up my letter of June 7, 1929, I note that I stated in 1928 there were 100,000 tons of sodium sulphate imported. That was an error, as the importation was 30,000 tons.

Since writing you I have ascertained that the House Ways and Means Committee were imposed upon by the Kraft people.

I inclose you copy of a brief that they filed with Mr. HAWLEY and Mr. HADLEY and others.

This brief was distributed by Wilson & Geo. Meyer & Co., brokers for the German importers.

How the chicanery of this brief did not appear to the committee I am at a loss to understand.

The companies signing the brief have contracts with the importers through this firm of brokers, fixing a price at about \$13 a ton.

The signers of the brief carefully avoid stating that they had written contracts, and further avoid stating that after they had made the contracts, then, and then only, the brokers for the Germans quoted the price at \$17.95 c. i. f. Pacific coast terminals.

They also neglected to state that these contracts have a cancellation clause, allowing the buyers to cancel the contracts, and that this cancellation clause was put into the contract expressly for the purpose of protecting these paper companies.

The signers of the brief further flout the intelligence of the Ways and Means Committee by saying that quotations were made by domestic natural producers at \$2 and \$4 per ton less than the existing German price.

They further say "obviously Pacific coast kraft mills would not have contracted for German material at a much higher price had they had any assurance from natural producers as to ability to deliver and their assurance as to quality."

This statement is again on a par with the activities of these buyers who have been conspiring with the German importers to introduce under one designation a material which comes under another clause in the old tariff act.

The statements of the signers of the brief imply a condition that did not exist.

They try to make it appear that they will be without sodium unless they deal with the Germans, and now having dealt with the Germans and having hedged themselves around, and being in a business that has been bulwarked by tariff, they stoop to make statements that are abso-

lutely false and weave other statements into a mesh so that the truth is concealed that they may thereby further profit.

The evasion by the signers of the brief of the real issue and their concealing the domestic source of supply by saying "most of the natural deposits . . . are located miles from the railroad" is reprehensible.

Camp Verde, in Arizona, near the railroad, was supplying 18,000 tons yearly, and solely by reason of German price slaughtering was shut down about the middle of 1928. That plant can furnish 100,000 tons of the best quality of sodium per year. Rhodes Marsh, Nev., can supply all the Pacific coast tonnage estimated by the signers of the brief for the next 50 years, and it is right on the railroad; 18,000 tons 96 per cent pure has actually been shipped from San Luis Obispo County, Calif., until shut down by low prices. All of these plants could and would prosper at a fair tariff.

We will send you specific and reliable data covering this whole industry.

The fact is, as you do know, that kraft pulp plants have been increasing in number by leaps and bounds and the business has been most prosperous.

It takes about 400 pounds of sodium sulphate to make a ton of kraft pulp.

In Great Salt Lake alone there are 30,000,000 tons of sodium sulphate. You know further that there are 400,000,000 tons of sodium chloride.

You know also that contiguous to Salt Lake they have the great smelters, and that the vapors therefrom, with which to produce sulphuric acid, are available; that the sulphuric acid, in combination with the sodium chloride, will produce all the salt cake that all the kraft pulp people will ever need in the world—and this is only one place among many in the Pacific coast arid countries.

Shall American industry advance?

The Germans for years worked their kaiserite ores and extracted only the potash and discarded the magnesium contents into the rivers and thereby polluted them.

The industry was not hamstrung, but encouraged. The Germans studied and found out a way of working these complex ores and using the magnesium sulphate in combination with common salt they could, and do, make sodium sulphate. They are now proceeding to make further salvage of their waste and do turn out in large volume pure Epsom salts.

They have now, according to the reports of our representatives, reduced their costs of working their complex ores one-half.

Not only is the German Government protecting this industry, but the English and the Germans got together and allotted the markets between themselves, and now the French and the Belgians, the Germans and the English have gotten together and are further dividing up the market.

Contrast that with those who, receiving tariff protection themselves, are conspiring to throttle another American industry by the false statement that the natural product in quantity and quality can not be had at a reasonable figure.

It seems plain that the Germans would not have broken the price of sodium sulphate in 1928 down to \$10 a ton if American producers could not have delivered the goods.

Very respectfully your friend,

W. H. METSON.

LOS ANGELES, March 11, 1929.

HON. TASKER LOWMEDES ODDIE,

Washington, D. C.

DEAR MR. ODDIE: This company and all producers of sodium sulphate are suffering a serious loss in the marketing of this material due to the importation of cheap sodium sulphate by Germany. We wish to furnish you with the facts regarding this situation and hope to enlist your support in our effort to secure a tariff which will protect us.

In the States of Wyoming, Utah, Nevada, Washington, California, and Arizona there exist natural deposits of sodium sulphate in the form of Glauber salt (approximately one-half water and one-half sodium sulphate), anhydrous and crude sodium sulphate.

Glauber salt, refined anhydrous sodium sulphate, and crude sodium sulphate, or salt cake, as it is known to the trade, is also manufactured by chemical companies located in different sections of the United States. This material is used by many industries in this country, such as the dyeing and textile industries; paint, varnish, and glass industries, and others, but by far the largest consumers are the pulp and paper mills, who use it in the manufacture of kraft paper.

The total consumption in the United States of this material is approximately 400,000 tons per year. During the past 10 years or more hundreds of thousands of dollars have been spent developing the natural deposits. These deposits offer a resource of great potential value to the United States.

Since 1924 this company has been developing and operating a deposit of sodium sulphate located at Camp Verde, Ariz. In 1926 our company, after having spent close to \$400,000 in development and construction work and operating at a loss for two years, started to make

money, when foreign competition that was unforeseen developed, and within two years' time forced us to close our plant, throwing 50 to 75 men out of work and ruining the investment of 1,000 stockholders located in different sections of the United States, many of whom are in your State. Our present investment in this undertaking is close to one-half million dollars.

The latter part of 1926 Germany commenced importing sodium sulphate in large quantities into the United States, they having perfected a process whereby they could cheaply recover this product from material they had been wasting in the mining of their large potash deposits.

To-day Germany is the largest and cheapest manufacturer of this product in the world. Not having a market at home for all the material they are making and can make, they are now sending to this country their surplus and underselling the American manufacturers and producers, regardless of what our cost may be.

Ninety per cent of our shipments have been made to the pulp and paper mills. The majority of these mills are located at tidewater or adjacent thereto. Our freight rate alone to Gulf points is \$12 per ton. Germany is selling sodium sulphate in bulk at \$13 per ton Gulf points and \$15.50 per ton sacked or \$13.50 bulk Pacific coast ports.

The chemical companies located in the Middle West and East who have been seriously affected by this competition have filed briefs with the Ways and Means Committee at Washington, D. C., asking for a duty of \$5 per ton on Glauber salt, \$5 per ton on crude sodium sulphate or salt cake, and \$10 per ton on refined anhydrous sodium sulphate. This company, through the American Mining Congress, has asked for a duty of \$5 per ton on crude sodium sulphate or salt cake.

Since filing our briefs we have been advised that Germany expects to materially increase their importations and, if necessary, lower their present price in order to secure additional business.

We have recently secured data regarding Germany's cost of production, transportation, and selling. Germany's cost of converting by a solution process this waste material to sodium sulphate is not over \$3 per ton. Their freight rate from works to Hamburg is \$2.38 per ton; insurance and consular fee, 18 cents; boat rate from Hamburg to Gulf ports, \$3 per ton; to Pacific ports, \$4.08; commissions, 1 per cent selling price or 13 cents Gulf and 16 cents Pacific ports. Total cost delivered Gulf ports is \$8.69 and Pacific ports \$9.80. (Transportation and sales cost to Pacific ports secured from copy of invoice of shipment made in early part of 1929 to Pacific ports and furnished by German agent to United States customs office, who are investigating these importations in order to prove dumping by Germany.) Note low boat rate. The steamship companies conference rate is \$7 per long ton or \$6.25 per short ton (2,000 pounds) on sodium sulphate from Hamburg to Pacific coast ports.

Our application for a duty of \$5 per ton is too low and should have been \$10 per ton in order to enable the American producers of this material to secure a fair price. Our lowest total cost per ton was \$6.74 plus \$12 freight to Gulf ports, making \$18.74. A \$10 duty would still enable Germany to import sodium sulphate at a trifle lower cost than we could deliver to this territory. We have been advised that it costs the chemical companies between \$10 and \$12 per ton to make this material. Their average freight rate to this territory is approximately \$6 per ton, or a delivered price of close to \$18 per ton.

A duty of \$10 per ton will put us on practically an equal delivery cost with the foreign importers. With a fair margin of profit added to these delivery costs, the price of sodium sulphate will still be considerably less than the average price from 1920 to 1926, inclusive.

In the Gulf territory Germany at tidewater points is delivering sodium sulphate at \$15 per ton less than the average price prevailing from 1920 to 1926 and \$12 per ton less at Pacific coast ports. We are listing below the average price for sodium sulphate for the years 1920 to 1928, inclusive, as furnished by the Oil, Paint, and Drug Reporter:

	Per ton
1920	\$35.00
1921	30.00
1922	22.50
1923	26.00
1924	23.00
1925	20.50
1926	21.00
1927	19.00
1928	15.50

Or an average price of \$25.46 for 1920 to 1926. Since 1926 Germany's competition has completely destroyed our domestic prices.

Following are importations of sodium sulphate, Glauber's salt, and anhydrous sodium sulphate, 1926 to 1928, inclusive (note increasing amounts):

	Tons
1926	5,300
1927	16,554
1928 (11 months only)	29,421

While the 1928 importation represents about 8 per cent of the total consumption, it is a well-known fact that in many lines a comparatively small quantity of an article can make the market price for an industry's entire production.

Department of Commerce, January 21, 1929, published the following article written by Trade Commissioner William T. Daugherty, Berlin:

"German salt-cake production is distributed among some 70 plants, 4 of which have capacities of 18,000 tons or more per annum. They are virtually all combined in the Sulfat-Syndikate of Frankfort, with powers of allocating production, fixing prices, etc. Of these the Kaiseroda plant at Merkers in Thuringia, which is, incidentally, the largest potash plant in the world, with an annual capacity of 120,000 tons of potash, is producing 8,000 tons of salt cake monthly now (or 96,000 tons per year)."

We are unable to meet such competition and unless a relief in the form of a tariff is given our industry the investment in this company will be a total loss. Employment of labor by this company will be at an end; revenue which formerly went to the railroads in this country for hauling this material lost, as the imported material is delivered mostly by boats to mills located at tidewater. (Our company alone paid in 1926 and 1927 over \$350,000 gross revenue to the railroads.)

Our company has many million tons of sodium sulphate in our deposit at Camp Verde, Ariz., which can be the source of a part of the supply of sodium sulphate needed by industries in this country at a very reasonable price and for many years to come. However, we can not economically operate our plant under prevailing market prices, caused by German importations.

As stated above, Germany is securing this material as a by-product in the operations of their very profitable potash deposits. They have much cheaper labor than we, and are transporting sodium sulphate by water in their own boats, three to six thousand miles, two to three times cheaper than we are transporting same by rail 1,000 miles. German sales of sodium sulphate are made through one large "kartel" or trust, a method of selling we are not permitted to use. They are securing higher prices for their domestic sales of this product at plant than they are securing for material exported to the United States.

If the effort and money we have invested in an endeavor to build up a profitable and needed industry in this country is not to be wiped out, we must secure a tariff that will prevent this ruinous competition.

Will you not render us your assistance?

Yours very truly,

SODIUM PRODUCTS CORPORATION,
R. W. COAD, President.

Mr. ODDIE. Mr. President, I will not discuss this question further. The Senator from Arizona has made a very able presentation of the case, and I hope the amendment he has proposed will be adopted.

Mr. PITTMAN. Mr. President, there is hardly anything to say with regard to this subject after it has been discussed by the Senator from Arizona. He has given a great deal of thought and study to it and has stated the facts frankly. The difference in the cost as between the importer and the local producer is \$5 a ton, measured according to the rule which has already been adopted by the Senate in this very bill, and which was voted for by, I think, practically all Members of the Senate; and so that in order to equalize the exact difference in cost, without any profit whatever, it will be necessary to have a tariff rate of \$5.

The House bill provided a rate of \$4; the rate in the present law is \$4; and the amendment now under consideration means the raising of that rate just \$1. If raising the rate \$1 will allow the industry to prosper and give employment to thousands and thousands of men in various States of the Union, I do not think any of us should hesitate for one moment to vote for the additional duty.

Mr. BLACK. Mr. President, will the Senator yield?

Mr. PITTMAN. I yield.

Mr. BLACK. I understand that the amendment not only raises the rate \$1, but it takes salt cake from the free list and imposes on it a rate of \$5 a ton?

Mr. PITTMAN. Yes. Let me explain that; I do not think the Senator heard the explanation which has been given. It is simply a matter of water. While the Congress in the existing law intended to protect this commodity, the Germans were able to get around the provision in the law by either adding or taking out a little water; they could use either process they desired. They could add a little water to it or they could take a little water out of it, and in either event it was called by a different name. It is similar to the case of evaporated potatoes. Evaporated potatoes can have no water in them, or a glass of water can be added, and they are then another substance; and if two glasses of water are added they are still another substance. By such a process the Germans avoided the provision in the existing law. The only difference is that by adding the word "sulphate" the product with different admixtures of water is entirely covered.

Mr. BLACK. Mr. President, I desire to ask another question. Did not the House committee have hearings on this matter?

Mr. HAYDEN. The House Committee on Ways and Means had hearings on the subject.

Mr. BLACK. Did not the House put it on the free list?

Mr. HAYDEN. They left it on the free list; why I do not know; but I do know that the kraft-paper manufacturers were the only ones who appeared in opposition. The House left salt cake on the free list but raised the duty on anhydrous sodium sulphate from \$2 to \$4 a ton. That is what the House of Representatives did.

Mr. BLACK. The Senate committee also had hearings on the subject, did it not?

Mr. HAYDEN. Yes.

Mr. BLACK. And left the commodity on the free list?

Mr. HAYDEN. Salt cake was left on the free list, and anhydrous sodium sulphate remained at \$4 a ton.

Mr. BLACK. What is the cost of salt cake per ton?

Mr. HAYDEN. It varies with where it is found. It runs about \$6 or \$7 at the mines. German salt cake is worth about \$13 or \$14 a ton, while it costs the American producer about \$18 a ton to lay it down at the paper mills in the Mississippi Valley.

Mr. BLACK. In other words, it is proposed to put a \$5 tariff on a product that sells for \$6 at the mine?

Mr. HAYDEN. It could be produced at the mines for that sum, but I will say frankly to the Senator that the reason for the proposed rate is that it cost \$12 a ton to transport that product from the mine to the mill, whereas the Germans enjoy water transportation at low rates and can lay it down for \$5 less. The only purpose of this tariff is to equalize transportation. The following letters from the producers of salt cake in Arizona fully explain the need for this import duty:

CAMP VERDE, ARIZ., March 8, 1929.

HON. CARL HAYDEN,
Washington, D. C.

DEAR MR. HAYDEN: We are furnishing you with data regarding the operation of our plant at Camp Verde and hope you will lend us your assistance.

In the States of Wyoming, Utah, Nevada, Washington, California, and Arizona there exist natural deposits of sodium sulphate in the form of Glauber salt (approximately one-half water and one-half sodium sulphate) and anhydrous and crude sodium sulphate.

Glauber salt, refined anhydrous sodium sulphate, and crude sodium sulphate, or salt cake, as it is known to the trade, is also manufactured by chemical companies located in different sections of the United States. This material is used by many industries in this country, such as the dyeing and textile industries, paint, varnish, and glass industries, and others, but by far the largest consumers are the pulp and paper mills, who use it in the manufacturing of kraft paper.

The total consumption in the United States of Glauber salt, refined anhydrous sodium sulphate, and crude sodium sulphate is approximately 400,000 tons per year. During the past 10 years or more hundreds of thousands of dollars have been spent developing the natural deposits. These deposits offer a resource of great potential value to the United States.

Since 1924 this company has been developing and operating a deposit of sodium sulphate located at Camp Verde, Ariz. In 1926 our company, after having spent close to \$400,000 in development and construction work and operating at a loss for two years, started to make money, when foreign competition that was unforeseen developed, and within two years' time forced us to close our plant, throwing 50 to 75 men out of work and ruining the investment of 1,000 stockholders located in different sections of the United States, many of which are in Arizona. Our present investment in this undertaking is close to one-half million dollars.

The latter part of 1926 Germany commenced importing sodium sulphate in large quantities into the United States, they having perfected a process whereby they could cheaply recover sodium sulphate from material they had been wasting in the mining of their large potash deposits.

To-day, Germany is the largest and cheapest manufacturer of this product in the world. Not having a market at home for all the material they are making and can make, they are now sending to this country their surplus and underselling the American manufacturers and producers, regardless of what our cost may be.

Ninety per cent of our shipments have been made to the pulp and paper mills. The majority of these mills are located at tidewater or adjacent thereto. Our freight rate alone to Gulf points is \$12 per ton. Germany is selling sodium sulphate in bulk at \$13 per ton, Gulf points, and \$15.50 per ton sacked or \$13.50 bulk, Pacific coast ports.

The chemical companies located in the Middle West and East, who have been seriously affected by this competition, have filed briefs with the Ways and Means Committee at Washington, D. C., asking for a duty of \$5 per ton on Glauber salt; \$5 per ton on crude sodium sulphate or salt cake and \$10 per ton on refined anhydrous sodium sulphate. This company, through the American Mining Congress has asked for a duty of \$5 per ton on crude sodium sulphate or salt cake.

Since filing our brief we have been advised that Germany expects to materially increase their importations, and if necessary, lower their present price in order to secure additional business.

We have recently secured data regarding Germany's cost of production, transportation, and selling. Germany's cost of converting by a solution process this waste material to sodium sulphate is not over \$3 per ton. Their freight rate from works to Hamburg is \$2.38 per ton. Insurance and consular fee, 18 cents; boat rate from Hamburg to Gulf ports, \$3 per ton; to Pacific ports, \$4.08; commissions 1 per cent selling price, or 13 cents, Gulf, and 16 cents Pacific ports. Total cost delivered Gulf ports is \$8.69 and Pacific ports \$9.80. (Transportation and sales cost to Pacific ports secured from copy of invoice of shipment made in early part of 1929 to Pacific ports and furnished by German agent to United States Customs Office, who are investigating these importations in order to prove dumping by Germany.) Note low boat rate. The steamship companies conference rate is \$7 per long ton or \$6.25 per short ton (2,000 pounds) on sodium sulphate from Hamburg to Pacific coast ports.

Department of Commerce, January 21, 1929, published the following article written by Trade Commissioner William T. Daugherty, Berlin:

"German salt-cake production is distributed among some 70 plants, 4 of which have capacities of 18,000 tons or more per annum. They are virtually all combined in the Sulfat-Syndikate, of Frankfurt, with powers of allocating production, fixing prices, etc. Of these, the Kaiseroda plant at Markers, in Thuringia, which is, incidentally, the largest potash plant in the world, with an annual capacity of 120,000 tons of potash, is producing 8,000 tons of salt cake monthly now, or 96,000 tons per year."

We are unable to meet such competition, and unless a relief in the form of a tariff is given our industry the investment in this company will be a total loss. Employment of labor by this company will be at an end; revenue which formerly went to the railroads in this country for hauling this material lost as the imported material is delivered mostly by boats to mills located at tidewater. (Our company alone paid in 1926 and 1927 over \$350,000 gross revenue to the railroads.)

Our company has many million tons of sodium sulphate in our deposit at Camp Verde, Ariz., which can be the source of a part of the supply of sodium sulphate needed by industries in this country at a very reasonable price and for many years to come. However, we can not economically operate our plant under prevailing market prices, caused by German importation.

As stated above, Germany is securing this material as a by-product in the operations of their very profitable potash deposits. They have much cheaper labor than we and are transporting sodium sulphate by water in their own boats, three to six thousand miles, two to three times cheaper than we are transporting same by rail 1,000 miles. German sales of sodium sulphate are made through one large "kartel" or trust, a method of selling we are not permitted to use. They are securing higher prices for their domestic sales of this product at plant than they are securing for material exported to the United States.

If the effort and money we have invested in an endeavor to build up a profitable and needed industry in this country is not to be wiped out, we must secure a tariff that will prevent this ruinous competition.

Will you not render us your assistance?

Yours very truly,

SODIUM PRODUCTS CORPORATION,
R. W. COAD, President.

ARIZONA CHEMICAL CO.,
New York, February 15, 1930.

HON. CARL HAYDEN,
Senator from Arizona,

The United States Senate, Washington, D. C.

DEAR SIR: We have taken over the salt-cake (sulphate of soda) mine and property located at Camp Verde, Ariz., and are about to begin the production of salt cake on a large scale. This is possible through a condition, which may be temporary, affecting the German production of this commodity.

There has been no duty on salt cake and Germany has been able to send into this country hundreds of thousands of tons at ridiculously low prices, and at figures which would make it impossible to compete from Arizona. The present contract market price of salt cake is approximately \$13.50 per ton at Gulf ports on imported salt cake.

Large quantities of this product are used in the manufacture of kraft paper in the Louisiana-Mississippi district, and with the present freight rate of \$12 per ton, you see the difficulties with which we are confronted; nevertheless, at least temporarily, German production has been curtailed, and we are hopeful that more reasonable prices will prevail, but there is no question but what a duty on this commodity is needed for the protection of our operation.

This subject came up before the Ways and Means Committee of the House of Representatives and the kraft-paper mills defeated the proposal for a duty of \$5 per ton. The Senate Finance Committee followed

the lead of the Ways and Means Committee and kept salt cake on the free list. In view of the fact that the Senate is going over the schedules, it occurs to me that it is not too late, perhaps, to have a duty of \$5 per ton placed on this commodity. It means the employment of a large amount of labor, utilization of natural raw materials, and the expenditure of very considerable sums of money in the development of this Arizona property.

If there was ever a very good reason for a protective tariff, we have it in this case. May we, therefore, enlist your support and ask that you take the necessary steps to place this commodity on the dutiable list. The kraft-paper mills now realize that unless American manufacturers will produce this commodity there will be a shortage which will adversely affect them a great deal more than a reasonable protective duty. On the other hand, large amounts of money necessary to develop this project are unwarranted without some assurance for the future.

We are willing to spend the necessary money to develop the Arizona natural deposits, but it is a precarious undertaking to do this, realizing that even a small amount of German tonnage at low prices sets the market, and there is always the possibility of Germany again increasing the production of salt cake and coming in to take the business away from us at prices below our costs.

Your suggestions and cooperation are keenly sought. Thanking you in anticipation of your assistance, we are,

Very truly yours,

H. L. DERBY, *President.*

ARIZONA CHEMICAL CO.,
New York, February 18, 1930.

Hon. CARL HAYDEN,

Senator from Arizona,

Senate Office Building, Washington, D. C.

DEAR SENATOR HAYDEN: I appreciate your telegram of the 18th, to which I have replied, as follows:

"Reduction in German exportation salt cake due to change in method manufacturing muriatic acid of which salt cake is a by-product."

You realize, of course, the danger in this situation, so far as the domestic producers are concerned. Temporarily, at least, Germany has changed its method of producing muriatic acid and, by the present method, salt cake does not result as a by-product. Now, if we and other manufacturers proceed with the expenditure of considerable sums of money needed to produce salt cake in this country and, if later, Germany changes back to its method of manufacturing muriatic acid and produces large quantities of salt cake, we will have our investment on our hands and no possible opportunity of utilizing it because Germany can send over salt cake to this country at a figure which would not even represent the freight from Arizona to consuming points.

The kraft mills are going to find themselves in an extraordinarily bad situation if the domestic natural deposits are not developed. In view of the fact that salt cake is a by-product of muriatic acid, it will not be produced in increasing amounts by the chemical manufacturers for the reason that there is a market for only a certain amount of muriatic acid and, of course, the two products could not be produced and the muriatic acid thrown away in order to produce enough salt cake for the requirements; therefore, the natural deposits such as ours in Arizona are the logical ones to be developed, and if a duty can be established to protect us for the future, so that if Germany does change back to their former method of manufacturing we will be able to continue to operate, we are warranted in spending the money necessary for a large and efficient operation.

I greatly appreciate your interest, and await with keen interest further developments.

Very truly yours,

H. L. DERBY, *President.*

Mr. PITTMAN. Mr. President, just one word further. Mind you, all through the schedules we have adopted, or in practically all of them with regard to manufacturers, we have adopted a measure which was laid down in this bill as to the difference in the foreign cost and the cost to the domestic producer. I think the Senator from Alabama voted for that provision; I know I voted for it. It was presented by the Senator from North Carolina [Mr. SIMMONS], and I think all of us voted for that measure. It took into consideration expressly the difference in the cost of transportation by water, we will say, from the foreign port to our port and by rail from the domestic port to the point of consumption, and it also took into consideration the transportation from the point of production in this country to the main point of consumption.

It would seem absolutely unfair to use that measure which we have unanimously adopted in this body with regard to manufactured articles, and then in the case of some cheap little article which somebody else is trying to produce, and which seeks tariff protection, to say that we will not use the same measure.

Mr. BROUSSARD. Mr. President, I wish to join those Senators who have made the statement that the Senator from Arizona [Mr. HAYDEN] has covered this subject thoroughly. So I

shall not discuss the source of supply of salt cake and other salts covered by his amendment. However, there are, Mr. President, in my State a large number of salt mines, large salt domes. In the last few years chemical plants have been established there, and in the manufacture of hydrochloric acid there is a by-product which is known as salt cake, which is the subject under consideration. Those chemical works are newly established but are growing very rapidly.

I wish to call the attention of the Senate to the fact that in 1922 there were only 638 tons of salt cake imported into the United States, but the increase of importations has been so rapid that in the year 1928 we imported 25,203 tons. I see here that the value in 1922 per ton was \$13.38, and that in 1923 the price went up to \$17.81, while in 1928 the price was only \$10 per ton.

Mr. President, there are a large number of kraft mills in my State, whose proprietors have written asking me to oppose the amendment of the Senator from Arizona, but I supported the duty which they asked Congress to give them on kraft paper, and consequently I see no justice in denying the rate which is asked here to the domestic producers of various kinds of salts. I therefore propose to support the amendment for that reason.

Mr. SHORTRIDGE. Mr. President, I shall detain the Senate but for a few moments. I rise to say that I very fully approve of the position taken by the Senator from Arizona [Mr. HAYDEN]. He has stated the case with clearness and force and has conclusively demonstrated that we of the West can not compete with Germany in the production and handling of this product. Of course, the cost of transportation is to be taken into consideration when fixing a tariff rate. It is perfectly manifest that railroad transportation rates from the far West to the market in the Mississippi Valley, for example, are greater than ocean freight rates from across the Atlantic to the same market. The initial cost of production, the several elements of cost in handling and transporting are such, as compared with the foreign cost, that if we would assist and encourage the American industry, then a certain rate of duty must be imposed.

I take a deep interest in this item in the bill. I think that a duty of \$5 a ton, even though not as much as the industry needs, will be helpful. I do not see wherein such a duty would impose any unjust burden or any appreciable burden upon the paper maker. I have stood here, Mr. President, and voted again and yet again to assist the manufacturers, the mills of New England, of the Atlantic seaboard, and of the Southland. As I understand the theory of protection, in framing a tariff bill we should have in contemplation the whole Nation and all its industries—agriculture, manufacturing, and mining.

Having my eye on the State of Alabama, when that State stood here and argued in favor of a tariff on amorphous and crystalline graphite—a natural product of that great State—I spoke in favor of, and gladly voted for, a rate of duty which I then thought, and now think, was necessary and adequate. I call upon honored Senators who were so earnest and so deeply interested in a mining product of their State to have some regard for the far West, for Nevada, for Arizona, and—if you will permit me to say so—for California.

It has been said that a duty of \$5 a ton would not be effective as to salt cake. Those engaged in the production of it think it would be helpful; and I trust that Senators will give ear to their appeal, made here to-day so forcefully by the Senator from Arizona [Mr. HAYDEN], and agree to his amendment.

The PRESIDING OFFICER (Mr. FESS in the chair). The question is on the amendment offered by the Senator from Arizona [Mr. HAYDEN].

Mr. HEFLIN. Mr. President, I have here a telegram from the Tuscaloosa Chamber of Commerce, which reads in part as follows:

Gulf States Paper Corporation seriously object to duty of \$5 a ton on sodium sulphate.

And they ask that steps be taken to remove this tax. They were under the impression that it had already been imposed.

The paper industry is a new industry in Alabama. We have one at Tuscaloosa, and those who own and operate this industry claim that this salt-cake tax would work a great hardship upon them.

Mr. HAYDEN. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Arizona?

Mr. HEFLIN. I yield to the Senator.

Mr. HAYDEN. Does the Senator know how much salt cake it takes to make a ton of paper?

Mr. HEFLIN. I do not.

Mr. HAYDEN. It takes 1 ton of salt cake to make 5 tons of paper; so that if this rate of \$5 a ton is imposed and is fully

effective, it will increase the cost of paper by \$1 per ton. The same paper sells for over \$100 a ton and has a protective tariff in this bill of practically \$25 a ton.

Mr. HEFLIN. I am speaking for the paper makers of my State, and they are bitterly opposed to the tax here proposed. Such a tax would be a burden to every State that uses pine wood for making paper. Such a tax is not justified, and it ought not to be levied.

Mr. HALE. Mr. President, I have had letters from the manufacturers of kraft paper in my State, and they tell me that a very great hardship will be imposed upon them if a duty is put upon salt cake. They say that it is hard to get enough salt cake in this country; that the natural salt-cake production has amounted to very little up to the present time; that the bulk of the salt cake that is produced is a by-product of other manufactures, and that they are obliged to purchase some of the foreign product. Furthermore, they say that if this duty is put on to help the natural product they will still have to buy the foreign salt cake, because it is impracticable to transport the natural salt cake from the regions in the West where it is found to the East. They say that if this amendment is adopted it will cost them from \$1 to \$1.50 a ton, at least, more for their paper, and that they are not making very great profits at the present time. I very much hope the amendment will not prevail.

Mr. HAYDEN. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Arizona?

Mr. HALE. I yield.

Mr. HAYDEN. Did the manufacturers of kraft paper advise the Senator that they built up their industry to almost half its present size solely upon salt cake found in the United States; that there were no importations of salt cake in the United States prior to 1922, when 638 tons came in, and that the importation has increased until this year it amounts to over 81,000 tons; and that the only reason for the increase is that the American producers of salt cake have been put out of business by cheap by-product salt cake from Germany? In other words, did they tell the Senator the whole story?

Mr. HALE. What is the American production at the present time?

Mr. HAYDEN. The American production of salt cake at the present time is 202,636 tons of by-product salt cake, 23,000 tons of natural salt cake, and the importations were 81,815 tons.

Mr. HALE. Mr. President, the people who want this duty are the producers of the natural salt cake, not of the by-product salt cake. The by-product people at the present time are doing extremely well with their product. It is the producers of the natural cake that want the duty, as I understand it.

Mr. HAYDEN. No; the Senator from Louisiana [Mr. BROUSSARD], who addressed the Senate just a few moments ago, spoke entirely on behalf of by-product producers of salt cake.

Mr. HALE. They are making a pretty good profit now, I think.

Mr. HAYDEN. No; they are suffering severe competition from these German importations.

Mr. HALE. My informant said that on the kraft paper his particular mill was making a profit of not over \$2.50 a ton; and if this would mean taking away from that profit \$1.50 a ton, it seems to me it would hit them very badly.

I hope the amendment will not prevail.

Mr. SHORTRIDGE. Mr. President, when the manufacturers come before us we give ear, we listen, and we give them what we consider adequate protection. When the farmer of the West comes here, when the miner of the West comes here, they are opposed by these same manufacturers who wet the floor of the Senate with their tears, claiming that if agriculture or the mining industry is accorded certain protection, it will work their—the manufacturers'—ruin.

The time has arrived to speak a little plainly to great manufacturing cities and States of the East. I believe in giving them adequate protection for their own sake, and because their prosperity means a market for the products of the farmer and the miner. I beg to remind them that the prosperity of the miner, the prosperity of the farmer, is beneficial to the manufacturer; but let each stand upon his own merits.

I can say this with a certain degree of confidence, and without any embarrassment, because I am the friend of all of these industries, and believe in giving each and all of them adequate protection. I repeat what I have heretofore many times said—that I believe in giving adequate protection, be it specific or ad valorem, whether it be called high or low, high percentage or low percentage.

I happen to know that as to this particular article the miners of the West can not compete with the product coming from across the Atlantic. Therefore, I suggest to the manufacturing

interests of the East that they be a little more considerate of the West, a little more helpful to the West, as we, to the utmost of our ability, are striving to be helpful to them.

If there is an item in this bill entitled to the protection it asks, it is this one; and far from prostrating or impoverishing or bankrupting the paper manufacturers of Maine or of New England or of any other State—why, such a claim approaches the absurd.

Mr. HALE. Mr. President, the Senator spoke about this as a farm product. I was not aware that salt cake is a farm product.

Mr. SHORTRIDGE. I said the miner and the farmer are involved.

Mr. HALE. The Senator brought in the farmer.

Mr. SHORTRIDGE. I certainly did.

Mr. HALE. I do not think the farmer has anything whatever to do with it. Furthermore, the Senator from Arizona said that the bulk of the production of this commodity is from by-products, and not the natural salt cake. There is a very small amount of the natural salt cake produced in this country.

Mr. SHORTRIDGE. You must start with the natural product; then you get the by-products. We are asking here for \$5 on the natural product, which, in common terms, is called salt cake. Its chemical term is known.

Mr. PITTMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Nevada?

Mr. SHORTRIDGE. Pardon me just a moment. Let me reply to my friend from Maine. To illustrate my thoughts as to tariff legislation I spoke of the farmer. I again speak of him. Here are three great industries—manufacturing, farming, and mining to be considered. Of course, the prosperity of the one in turn flows over upon the others.

In my own great State, in certain mining communities once prosperous, now deserted, the prosperity of the miner assisted the farmer. The prosperity of the farmer assists the miner. The prosperity of the miner assists and benefits the manufacturer; and, of course, in between are the great transportation industries of the country, employing hundreds of thousands of skilled and unskilled labor, and carrying the output of factory, farm, and mine to their respective markets.

For the last time, I hope, and in the most friendly spirit, I suggest to our manufacturing friends of the East that they remember what we have striven to do for them and give ear to our present appeal for adequate protection.

Mr. HEFLIN. Mr. President, I will detain the Senate for but a moment. I have a letter here from a very able lawyer in Tuscaloosa, Ala., Bernard Harward, in which he says:

The northern kraft-paper mills are importing a large quantity of wood pulp which they use in manufacturing kraft paper; and that this wood pulp is on the free list; and that this move on the part of the interested parties to place salt cake on the dutiable list was an effort to embarrass the southern kraft-paper manufacturers. If they could have put a tariff of \$4 per ton on salt cake that would have meant a cost of \$1 a ton on the southern kraft-paper manufacturers in making paper.

It seems as if the northern kraft-paper mills, by reason of the material they use do not have to use salt cake, but in manufacturing kraft paper out of southern pine the southern mills have to use salt cake, and if this tariff of \$4 per ton had been put on salt cake it would have meant penalizing the southern kraft-paper mills \$1 a ton, whereas the northern mills would still enjoy the right of having wood pulp brought into their mills from abroad without any tariff. In other words, the northern kraft-paper mills would have been able to get their wood pulp tariff free, whereas the price of salt cake would have immediately been advanced \$4 per ton as soon as this tariff was placed thereon, and to that extent would have been very detrimental to the southern kraft-paper mill manufacturers.

I trust that the amendment will be defeated.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Arizona [Mr. HAYDEN].

Mr. HALE. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. SHORTRIDGE. Let the amendment be stated.

The CHIEF CLERK. The Senator from Arizona, on page 32, line 22, moves, after the word "anhydrous," to strike out "\$4" and insert in lieu thereof "\$5."

The VICE PRESIDENT. The yeas and nays have been ordered, and the Chief Clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. HASTINGS (when his name was called). On this vote I have a general pair with the senior Senator from New Mexico [Mr. BRATTON]. Not knowing how he would vote, I withhold my vote.

Mr. ROBINSON of Indiana (when his name was called). I have a general pair with the junior Senator from Mississippi [Mr. STEPHENS]. In his absence, not knowing how he would vote, I withhold my vote.

The roll call was concluded.

Mr. FESS. I desire to announce the following general pairs:

The Senator from Illinois [Mr. DENEN] with the Senator from North Carolina [Mr. OVERMAN];

The Senator from Pennsylvania [Mr. REED] with the Senator from Arkansas [Mr. ROBINSON];

The Senator from Maine [Mr. GOULD] with the Senator from Utah [Mr. KING];

The Senator from New Hampshire [Mr. MOSES] with the Senator from Iowa [Mr. STECK];

The Senator from Minnesota [Mr. SHIPSTEAD] with the Senator from Wyoming [Mr. KENDRICK]; and

The Senator from Illinois [Mr. GLENN] with the Senator from Mississippi [Mr. HARRISON].

Mr. CARAWAY (after having voted in the negative). I have a pair with the senior Senator from Vermont [Mr. GREENE] on this vote, but I understand that if present he would vote as I have voted, and therefore I allow my vote to stand.

Mr. SIMMONS. I transfer my pair with the senior Senator from Massachusetts [Mr. GILLET] to the junior Senator from South Carolina [Mr. BLEASE] and vote "nay."

Mr. THOMAS of Oklahoma. On this question I have a general pair with the senior Senator from West Virginia [Mr. GOFF]. Not knowing how he would vote, I withhold my vote. If permitted to vote, I would vote "yea."

Mr. MCKELLAR. I have a pair with the junior Senator from Delaware [Mr. TOWNSEND], which I transfer to the senior Senator from Missouri [Mr. HAWES], and vote "nay." I do not know how the Senator from Delaware would vote if present. The Chief Clerk recapitulated the vote.

Mr. LA FOLLETTE. Mr. President, has the senior Senator from Utah [Mr. SMOOT] voted?

The VICE PRESIDENT. That Senator has not voted.

The result was announced—yeas 26, nays 41, as follows:

YEAS—26

Ashurst	Grundt	Metcalf	Sullivan
Baird	Hatfield	Oddie	Thomas, Idaho
Bingham	Hayden	Patterson	Walcott
Brookhart	Hebert	Phipps	Waterman
Broussard	Johnson	Pittman	Watson
Capper	Jones	Robison, Ky.	
Goldsborough	Kean	Shortridge	

NAYS—41

Allen	Fletcher	McMaster	Swanson
Barkley	Frazier	McNary	Trammell
Black	George	Norbeck	Tydings
Blaine	Glass	Norris	Vandenberg
Brook	Hale	Nye	Wagner
Caraway	Harris	Ransdell	Walsh, Mass.
Connally	Hefflin	Schall	Walsh, Mont.
Copeland	Keyes	Sheppard	Wheeler
Couzens	La Follette	Simmons	
Cutting	McCulloch	Smith	
Fess	McKellar	Steiner	

NOT VOTING—29

Bleise	Goff	King	Smoot
Borah	Gould	Moses	Steck
Bratton	Greene	Overman	Stephens
Dale	Harrison	Pine	Thomas, Okla.
Deneen	Hastings	Reed	Townsend
Dill	Hawes	Robinson, Ark.	
Gillett	Howell	Robinson, Ind.	
Glenn	Kendrick	Shipstead	

So Mr. HAYDEN's amendment was rejected.

The VICE PRESIDENT. The Secretary will state the second amendment offered by the Senator from Arizona.

Mr. HAYDEN. Mr. President, it is obvious that it is unnecessary to take a vote on the other two amendments, so I withdraw them.

Mr. MCKELLAR. Mr. President, I call the attention of the Senator from Utah to the fact that I offered an amendment a few days ago, and I ask now to have a vote on it. I do not think it will take any time.

The VICE PRESIDENT. The amendment will be reported.

The CHIEF CLERK. The Senator from Tennessee moves to insert the following section in the proper place:

The Secretary of Commerce is hereby directed to cause to be collected for the several customs districts statistics showing the movement of commerce through the ports in such districts in such manner as will indicate whether industries enjoying high protection under the tariff laws of the United States are utilizing American vessels to the greatest possible extent or are preferring foreign vessels, and to submit a report thereon annually to Congress.

Mr. SMOOT. Mr. President, I ask the Senator just what this amendment means. From hearing it read, I do not think it asks for any specific information as to whether the industries are

employing American boats or foreign boats, and whether it is coastwise trade or not.

Mr. MCKELLAR. It inquires whether they are utilizing foreign boats or American boats. It just asks for information to be given so that we can have it hereafter. It seems to me it is very proper.

Mr. SMOOT. I have no objection to it going to conference, but I really do not understand what the amendment means.

Mr. GLASS. Mr. President, is the Senator from Utah willing to admit that any American industry is enjoying a high degree of protection? Did he note that phraseology?

Mr. SMOOT. I say, I have not examined the amendment, but I am willing to let it go to conference.

The VICE PRESIDENT. Is there objection to immediate consideration?

Mr. SHORTRIDGE. I object.

The VICE PRESIDENT. Objection is made.

Mr. MCKELLAR. Mr. President, is not the amendment in order?

The VICE PRESIDENT. Not at this time.

Mr. MCKELLAR. I shall offer it later.

Mr. WALSH of Massachusetts. Mr. President, I desire to enter a motion to reconsider the vote by which the Senate concurred in the amendment made as in the Committee of the Whole on page 199, line 16, relating to greeting cards.

Mr. SMOOT. What item is that?

Mr. WALSH of Massachusetts. The paper schedule.

Mr. GRUNDY. Mr. President, I desire to enter a motion to reconsider the votes whereby the Senate concurred in the amendments made as in the Committee of the Whole on page 219, in lines 1 and 2, respectively, relating to hats.

JOHN N. WILLYS

Mr. FESS. Mr. President, as in open executive session I ask unanimous consent to report from the Committee on Foreign Relations a nomination, and if there is no objection I should like to have consent for its immediate consideration.

The VICE PRESIDENT. The clerk will state the nomination.

The Chief Clerk announced the nomination of John N. Willys to be ambassador extraordinary and plenipotentiary to Poland.

The VICE PRESIDENT. Is there objection to the immediate consideration of the nomination?

Mr. LA FOLLETTE. Regular order!

The VICE PRESIDENT. The nomination will go to the Executive Calendar.

Mr. ASHURST. Mr. President, I have no objection—

The VICE PRESIDENT. Objection has been made.

Mr. ASHURST. Yes; but nevertheless I wish the floor for a moment. The Senator from Washington [Mr. DILL] is irremediably opposed to confirmations except when the Senate goes into executive session. I have no objection, but—

Mr. FESS. Mr. President, will the Senator yield?

Mr. ASHURST. Certainly.

Mr. FESS. There has been objection made; but I wish to say that I consulted with the Senator from Washington [Mr. DILL], and he told me it would be all right in this case.

Mr. ASHURST. Very well.

The VICE PRESIDENT. Objection having been made, the nomination will be placed on the Executive Calendar.

DEATH OF REPRESENTATIVE JAMES P. GLYNN

A message from the House of Representatives by Mr. Chaffee, one of its clerks, communicated to the Senate the intelligence of the death of Hon. JAMES P. GLYNN, late a Representative from the State of Connecticut, and transmitted the resolutions of the House thereon.

Mr. BINGHAM. Mr. President, I ask that the resolutions of the House be laid before the Senate.

The VICE PRESIDENT. The Chair lays before the Senate resolutions of the House of Representatives, which will be read.

The Chief Clerk read the resolutions, as follows:

IN THE HOUSE OF REPRESENTATIVES,

March 6, 1930.

Resolved, That the House has heard with profound sorrow of the death of Hon. JAMES P. GLYNN, a Representative from the State of Connecticut.

Resolved, That a committee of 24 Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect, this House do now adjourn.

Mr. BINGHAM. Mr. President, I offer the following resolutions, and request that they be read by the clerk and considered by the Senate.

The resolutions (S. Res. 226) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. JAMES P. GLYNN, late a Representative from the State of Connecticut.

Resolved, That a committee of six Senators be appointed by the Vice President to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased Representative the Senate do now take a recess until 11 o'clock a. m. to-morrow.

Thereupon, the Senate (at 5 o'clock and 5 minutes p. m.), took a recess until to-morrow, Friday, March 7, 1930, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES

THURSDAY, March 6, 1930

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Father of mercies, again we are in a sudden pause; but Thou dost hear and there is no grief but what Thou wilt share. One of us knows now the end of time and has tasted the deathless life. We lament that his voice is silent. Like a tired child, he was folded in Thy arms and rests in the depths of Thy love. While there are waters of darkness, there is an ocean of light that kisses the shore line of every soul. O breathe tenderly upon the stricken one and fill her soul with the peaceful echoes of Thyself. We thank Thee for that inheritance divine. O let not any ebbing tide leave us in the smothering sands of neglect. Blessed Heavenly Father, listen and keep us under Thy perfect dominion until the very energies of Thy mercy are exhausted and all sorrow and sighing die away before the great white throne. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H. J. Res. 210. Joint resolution to authorize an appropriation for the expenses of official delegates to the Fourth World's Poultry Congress, to be held in England in 1930.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2828. An act authorizing commissioners or members of international tribunals to administer oaths, to subpoena witnesses and records, and to punish for contempt.

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 2093) entitled "An act for the relief of the State of Alabama for damage to and destruction of roads and bridges by floods in 1929."

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 15) entitled "An act to amend the act entitled 'An act to amend the act entitled 'An act for the retirement of employees in the classified civil service, and for other purposes,' approved May 22, 1920, and acts in amendment thereof,' approved July 3, 1926, as amended," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. DALE, Mr. COUZENS, and Mr. MCKELLAR to be the conferees on the part of the Senate.

ORDER OF BUSINESS

Mr. TILSON. Mr. Speaker, I ask unanimous consent that the order by which the gentleman from New Jersey [Mr. EATON] was given leave to address the House for 30 minutes be transferred to next Tuesday.

Mr. GARNER. Let me ask the gentleman, Were there not other special orders for this morning?

Mr. TILSON. Yes.

Mr. GARNER. Will the gentleman follow with requests for the transfer of the others?

Mr. TILSON. Yes.

Mr. GARNER. Why not ask for the transfer of all of the orders?

Mr. TILSON. Because they do not wish to be transferred to the same date. Different action is desired in the other cases.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that the order relating to the gentleman from New Jersey [Mr. EATON] be transferred to next Tuesday. Is there objection?

There was no objection.

Mr. TILSON. Now, Mr. Speaker, I ask unanimous consent that the orders by which the gentleman from New York [Mr. SMOVICH], the gentleman from North Carolina [Mr. DOUGHTON], and the gentleman from Nebraska [Mr. JOHNSON] were given leave to address the House to-day may be transferred to to-morrow, immediately following the special orders that heretofore have been made for to-morrow.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that the time granted the gentleman from New York [Mr. SMOVICH], the gentleman from North Carolina [Mr. DOUGHTON], and the gentleman from Nebraska [Mr. JOHNSON] may be in order to-morrow following the address of the gentleman from New York [Mr. LAGUARDIA]. Is there objection?

There was no objection.

Mr. BRUMM. Mr. Speaker, I ask unanimous consent to address the House for 30 minutes immediately following the address of the gentleman from New Jersey [Mr. EATON], on next Tuesday morning, on the subject of coal.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 846. An act to authorize the Secretary of Commerce to convey to the State of Michigan for park purposes the Cheboygan Lighthouse Reservation, Mich.;

S. 1487. An act authorizing the Secretary of the Treasury to permit the erection of a building for use as a residence for the Protestant chaplain at the National Leper Home at Carville, La., and for other purposes;

S. 2668. An act granting the consent of Congress to the Missouri-Kansas-Texas Railway Co. to construct, maintain, and operate a railroad bridge across the Missouri River at Boonville, Mo., in substitution for and in lieu of an existing bridge constructed under the authority of an act entitled "An act to authorize the construction of a bridge across the Missouri River at Boonville, Mo." approved May 11, 1872;

S. 3030. An act to amend an act entitled "An act to provide for the further development of agricultural extension work between the agricultural colleges in the several States receiving the benefits of the act entitled 'An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts,' approved July 2, 1862, and all acts supplementary thereto, and the United States Department of Agriculture," approved May 22, 1928; and

S. 3193. An act to authorize the State Roads Commission of Maryland to construct a highway bridge across the Nanticoke River at Vienna, in Dorchester County, Md.

DEATH OF REPRESENTATIVE JAMES P. GLYNN

Mr. TILSON. Mr. Speaker, it is my sad duty to announce to the House the sudden death of my beloved colleague JAMES P. GLYNN, late a Representative from Connecticut. I send to the Clerk's desk a resolution and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 181

Resolved, That the House has heard with profound sorrow of the death of Hon. JAMES P. GLYNN, a Representative from the State of Connecticut.

Resolved, That a committee of 24 Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolutions were agreed to.

The SPEAKER appointed the following committee:

Hon. JOHN Q. TILSON, of Connecticut; Hon. WILLIAM H. STAFFORD, of Wisconsin; Hon. RICHARD P. FREEMAN, of Connecticut.

ticut; Hon. W. FRANK JAMES, of Michigan; Hon. SCHUYLER MERRITT, of Connecticut; Hon. HARRY C. RANSLEY, of Pennsylvania; Hon. E. HART FENN, of Connecticut; Hon. B. CARROLL REECE, of Tennessee; Hon. JOHN C. SPEAKS, of Ohio; Hon. HARRY M. WURZBACH, of Texas; Hon. J. MAYHEW WAINWRIGHT, of New York; Hon. WILLIAM R. JOHNSON, of Illinois; Hon. FLORENCE P. KAHN, of California; Hon. HAROLD G. HOFFMAN, of New Jersey; Hon. THOMAS C. COCHRAN, of Pennsylvania; Hon. GEORGE M. PRITCHARD, of North Carolina; Hon. PERCY E. QUIN, of Mississippi; Hon. HUBERT F. FISHER, of Tennessee; Hon. DANIEL E. GARRETT, of Texas; Hon. JOHN J. MCSWAIN, of South Carolina; Hon. LISTER HILL, of Alabama; Hon. LEWIS W. DOUGLAS, of Arizona; Hon. WILLIAM J. GRANFIELD, of Massachusetts; and Hon. VICTOR S. K. HOUSTON, of Hawaii.

The SPEAKER. The Clerk will report the remaining resolution.

The Clerk read as follows:

Resolved, as a further mark of respect this House do now adjourn.

The resolution was agreed to.

ADJOURNMENT

Accordingly (at 12 o'clock and 13 minutes p. m.) the House adjourned until to-morrow, Friday, March 7, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Friday, March 7, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON BANKING AND CURRENCY

(10.30 a. m.)

To amend the Federal farm loan act (H. R. 9433).

COMMITTEE ON WAYS AND MEANS

(10 a. m.)

To create in the Treasury Department a bureau of narcotics (H. R. 9053).

EXECUTIVE COMMUNICATIONS, ETC.

359. Under clause 2 of Rule XXIV, a letter from the Public Printer, transmitting report of an accumulation of papers which are not needed in the transaction of public business and have no permanent value or historical interest, was taken from the Speaker's table and referred to the Committee on Disposition of Useless Executive Papers.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. GARBER of Oklahoma: Committee on Interstate and Foreign Commerce. H. R. 7968. A bill authorizing the States of Texas and Oklahoma to construct, maintain, and operate a free highway bridge across the Red River at or near United States Highway No. 77, between the towns of Gainesville, Tex., and Marietta, Okla.; with amendment (Rept. No. 853). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BECK: A bill (H. R. 10554) to establish a national Lincoln museum and veterans' headquarters in the building known as Ford's Theater; to the Committee on the District of Columbia.

By Mr. COCHRAN of Missouri: A bill (H. R. 10555) to pay 25 per cent of the face value of adjusted-compensation certificates to veterans of the World War, and for other purposes; to the Committee on Ways and Means.

By Mr. CRAIL: A bill (H. R. 10556) making retired officers and enlisted personnel of both sexes of the Regular Army, Navy, and Marine Corps, eligible for admission to the United States hospital of any branch of the service and to hospitals of the Veterans' Bureau, and to hospitals of the National Home for Disabled Volunteer Soldiers on a parity with the honorably discharged officer or enlisted personnel; to the Committee on Military Affairs.

By Mr. GLOVER: A bill (H. R. 10557) to improve Government property abutting on Whittington Avenue, Hot Springs, National Park, Ark., by constructing Government's proportional part of concrete improvement, said property being situated in the city of Hot Springs, Hot Springs National Park, Ark.; to the Committee on the Public Lands.

By Mr. RANKIN: A bill (H. R. 10558) to provide for the commemoration of the Battle of Ackia in Mississippi; to the Committee on Military Affairs.

By Mr. UNDERWOOD: A bill (H. R. 10559) to authorize the erection of an addition to the existing Veterans' Bureau Hospital plant, No. 97, at Chillicothe, Ohio, and to authorize the appropriation therefor; to the Committee on World War Veterans' Legislation.

By Mr. BRAND of Georgia: A bill (H. R. 10560) to amend section 22 of the Federal reserve act; to the Committee on Banking and Currency.

By Mr. PORTER: A bill (H. R. 10561) to create in the Treasury Department a bureau of narcotics, and for other purposes; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BACON: A bill (H. R. 10562) for the relief of John Sanford Tillotson; to the Committee on War Claims.

By Mr. BLOOM: A bill (H. R. 10563) for the relief of Charles A. Brown; to the Committee on Claims.

By Mr. DYER: A bill (H. R. 10564) granting a pension to Martha O. Howe; to the Committee on Invalid Pensions.

By Mr. KENDALL of Pennsylvania: A bill (H. R. 10565) granting an increase of pension to Elizabeth Tressler; to the Committee on Invalid Pensions.

By Mr. KINZER: A bill (H. R. 10566) granting an increase of pension to Annie J. Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10567) granting an increase of pension to Caroline Wolf; to the Committee on Invalid Pensions.

By Mr. SHREVE: A bill (H. R. 10568) for the relief of Nellie Barnard; to the Committee on Military Affairs.

By Mr. SNELL: A bill (H. R. 10569) granting an increase of pension to Orpha Willett; to the Committee on Invalid Pensions.

By Mr. THOMPSON: A bill (H. R. 10570) for the relief of Samuel Kelly; to the Committee on Military Affairs.

By Mr. WOLFENDEN: A bill (H. R. 10571) for the relief of the Rakestraw-Pyle Co.; to the Committee on Claims.

By Mr. CHINDBLOM: A bill (H. R. 10572) for the relief of Paul D. May; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5359. By Mr. BACON: Petition of residents of Long Island, urging the passage of the bill providing for the creation of a national department of education; to the Committee on Education.

5360. Also, petition of residents of Long Island, urging increased pensions for Spanish-American War veterans and widows of veterans; to the Committee on Pensions.

5361. By Mr. BECK: Petition of Frederick O. Woodward and 45 others, residents of Philadelphia, in support of House bill 2562, to provide increased rates of pensions for veterans of the Spanish War; to the Committee on Pensions.

5362. By Mr. BLOOM: Petition of citizens of the city of New York, urging speedy consideration and passage of Senate bill 476 and House bill 2562, providing for increased rates of pension to the men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

5363. By Mr. CLARKE of New York: Petition of Edgar H. Fox and 50 citizens of Delaware County, asking support of House bill 2562 and Senate bill 476, increasing pensions of Spanish War veterans; to the Committee on Pensions.

5364. By Mr. DOWELL: Petition of citizens of Polk County, Iowa, urging the passage of House bill 2562, granting an increase of pensions to Spanish-American War veterans; to the Committee on Pensions.

5365. By Mr. FENN: Petition of citizens of East Hartford, Conn., favoring the passage of Senate bill 476 and House bill 2562, to increase the pensions of veterans of the Spanish-American War; to the Committee on Pensions.

5366. By Mr. JOHNSTON of Missouri: Petition of sundry citizens of Astoria, Embree, and Manes, Mo., praying for the passage of legislation granting increased pensions to Spanish War veterans; to the Committee on Pensions.

5367. By Mr. KENDALL of Kentucky: Petition of the citizens of Menifee County, in which they urge the passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

5368. By Mr. NIEDRINGHAUS: Petition of W. T. Ellegood and 53 other citizens of St. Louis, Mo., urging passage of Senate

bill 476 and House bill 2562 providing for increased rates of pension to the men who served in the armed forces of the United States during the Spanish-War period; to the Committee on Pensions.

5369. By Mr. SELVIG: Petition of World War veterans' organizations at Sunmount, N. Y., and Fort Bayard, N. Mex., urging support of petition to bring Rankin bill to the floor of the House; to the Committee on World War Veterans' Legislation.

5370. Also, petition of Renville Cooperative Creamery, Renville Farmers Elevator Co., Renville Shipping Association, and Farmers Cooperative Oil Co., of Renville, Minn., urging enactment of adequate tariff rates for agriculture—the American market to be supplied by the American farmer, in so far as he is able to supply it; to the Committee on Ways and Means.

5371. Also, petition of Flax-linum Co., of St. Paul, Minn., C. C. Martin, president, urging that tariff on palm fiber be increased in order to raise price farmers receive for threshed flax straw; to the Committee on Ways and Means.

5372. Also, petition of Hannahan & O'Neil, of Moorhead, Minn., urging enactment of House bill 11, known as the resale price maintenance bill; to the Committee on Interstate and Foreign Commerce.

5373. Also, petition of T. M. Thomson, member Veterans of Foreign Wars' legislative committee, in support of House bill 7888 providing for total permanent disability for veterans who have lost an arm or leg or suffered loss of sight or hearing while serving in the World War; to the Committee on World War Veterans' Legislation.

5374. By Mr. SLOAN: Petition of Gordon Smith and 64 others urging passage of Senate bill 476 and House bill 2562 providing for increased rates of pension to the men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

5375. By Mr. SPEAKS: Petition signed by 70 citizens of Columbus, Ohio, urging support of House bill 2562 proposing increased pension rates for Spanish War veterans; to the Committee on Pensions.

5376. By Mr. TURPIN: Petition of citizens of Luzerne County, Pa., favoring the passage of Senate bill 476 or House bill 2562; to the Committee on Pensions.

5377. By Mr. WIGGLESWORTH: Petition of Charles H. Fisher and several residents of Weymouth, Mass., urging the passage of House bill 2562 to increase the pensions of the Spanish War veterans; to the Committee on Pensions.

SENATE

FRIDAY, March 7, 1930

(Legislative day of Monday, January 6, 1930)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

CUSTOMS CENSORSHIP OF IMPORTED LITERATURE

Mr. CUTTING. Mr. President, because of the unexpectedly early recess yesterday afternoon I was unable to present at that time a petition which I had received from more than 500 educators, ministers, editors, librarians, authors, and other intellectual leaders of the United States, who are protesting against the present system of censorship by customs inspectors as provided in paragraph 305 of the tariff bill.

While I have had nothing personally to do with the preparation or circulation of the petition, I understand it was sent out through the National Popular Government League in order to test the opinion of censorship held by those citizens of the Nation most fitted by training and experience to judge.

The original framers and signers of the petition were Prof. Isaac E. Ash, of Ohio University; Prof. Charles A. Beard, author of *Rise of American Civilization* and countless other sociological works; Prof. Zachariah Chafee, jr., of the Harvard Law School; Prof. John Dewey, of Columbia University; Mr. Judson King, director the National Popular Government League; Prof. Joseph Mayer, executive secretary and treasurer of the American Association of University Professors; Dr. Harold G. Moulton, president of the Brookings Institution; Dean Roscoe Pound, of the Harvard Law School; Jackson H. Ralston, of California, attorney and author; Prof. E. A. Ross, of Wisconsin University; and William Allen White, of Kansas, editor and author.

I shall not read the list of signatures, but I shall be very glad if each Senator will read it for himself after it appears in the RECORD. It seems to me it is a most impressive demonstration of the unanimity on this subject on the part of men who in other respects differ in opinion, occupation, and political belief.

The petition is very brief and I shall read it to the Senate, because it so admirably illustrates the resentment of all progressive and forward-looking people toward the suppression of free thought and free speech embodied in section 305 of the pending tariff bill.

I had intended to say that Swift and Voltaire would have enjoyed the final ironic suggestion contained in the last paragraph, but on reading this morning's papers I find that the lot of the ironist is hard. Many of the papers have taken seriously a suggestion made by these educators that a commission be intrusted with the duty of deciding how much of ancient literature and of modern science should be allowed to reach the libraries, the scientists, and the statesmen of twentieth century America. Therefore I warn the Senate that the last paragraph of the petition is intended in a semisarcastic vein.

Mr. JOHNSON. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New Mexico yield to the Senator from California?

Mr. CUTTING. I yield.

Mr. JOHNSON. Do I understand the Senator to warn us about some sarcastic matter to which he is about to refer?

Mr. CUTTING. I think, perhaps, the Senator himself has had experience with matter which has been taken seriously contrary to the wishes of the author.

Mr. JOHNSON. I was going to suggest that the Senator label it and send it to the press gallery, otherwise it might be misunderstood.

Mr. CUTTING. I include the occupants of the press gallery at the suggestion of the Senator from California.

Mr. WATSON. Mr. President, is the question of censorship before the Senate at this time?

Mr. CUTTING. No. This is a petition which I received yesterday and which I am about to read to the Senate. The petition reads as follows:

PETITION TO CONGRESS

Whereas section 305 of the existing tariff bill now contains a large and general power of censorship over imported literature, which permits customs inspectors and courts to exclude from entry works of Chaucer, Shakespeare, DeFoe, Swift, Fielding, Smollet, Aristophanes, Ovid, Dante, Voltaire, Rousseau, Tolstoy, Swedenborg, Ibsen, and Zola, and contemporary writers of great distinction in other countries; also to exclude scientific books in the fields of medicine, psychology, etc.; and

Whereas it is proposed in the pending tariff bill to extend this censorship to include all literature and empower customs clerks and judges to exclude from entry the works of leading thinkers of Portugal, Spain, Italy, Yugoslavia, Russia, and other countries, and certain speeches of the Chancellor of Germany and Premier of Great Britain which contain political and economic ideas contrary to those prevailing in the United States:

We, the undersigned, respectfully request the Congress of the United States to remove the existing censorship from foreign literature and to decline to extend it.

But if Congress in its wisdom thinks it necessary to protect American citizens at large against literature of this character, we respectfully beg to suggest that it create a commission of five, no more than three members to be of the same political party, to supervise the entry of literature with the view that the Library of Congress, college and university libraries, and other accredited libraries may import, with the consent of the commission, works otherwise deemed objectionable, that such works may, under proper safeguards, be consulted by mature students, editors, and writers on foreign affairs, the Department of State, Members of Congress, other statesmen, and scientists in order that trustworthy experts may become acquainted with the literature and opinions of various countries with which the United States maintains commercial if not diplomatic relations.

The petition is signed by 28 university and college presidents; 18 deans and heads of departments; 26 clergymen and teachers of religion; 23 leading librarians; 30 judges, lawyers, and professors of law; 38 editors of magazines and newspapers; over 100 scientists and teachers of science; over 100 professors of liberal arts; some 20 novelists, poets, and authors of national and international distinction; and many other men and women who may truly be said to have national reputations.

I ask that the letter accompanying the petition and the signatures to the petition be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The letter and the signatures to the petition are as follows:

NATIONAL POPULAR GOVERNMENT LEAGUE,
Washington, D. C., March 6, 1930.

Hon. BRONSON CUTTING,
Senate Office Building, Washington, D. C.

DEAR SIR: I inclose herewith, with request that it be presented to Congress, a petition which indicates the attitude of leaders of thought